

# ***Shire of Wiluna***



# ***Policy Manual***

**(as at 19 December 2018)**

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### **Amendment Status/Document Control**

<b>Date</b>	<b>Amendment Details</b>	<b>Authorised</b>
25.09.2013	Various	OCM 085/13
23.10.2013	Various	OCM 097-98/13
27.11.2013	Adoption new policy 2.18	OCM 108/13
18.13.2013	Adoption new policy OHS001	OCM 122/13
26.03.2014	Rescinded 1.12 and 1.13	OCM 022/14
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26.03.2014	Adopted new 2.20	OCM 021/14
26.03.2014	Rescinded 2.5 and adopted 2.19	OCM 023/14
26.03.2014	Adopted new 6.1	OCM 028/14
16.04.2014	Adoption new policy 2.21 Financial Investments	OCM 049/14
25.06.2014	Amendment to Policy 1.11	OCM 076/14
31.07.2014	Adoption of Policy 1.26	OCM 094/14
04.11.2014	Rescinded Policy 3.2	OCM 125/14
04.11.2014	Adopted new occupational health and safety policies (Refer Policy Manual Appendix 7)	OCM 125/14
15.12.2014	Reviewed Policy 1.20 – no change	OCM 169/14
25.02.2015	Adopted of new policy 3.3	OCM 033/15
25.03.2015	Amended Policy 2.6	OCM 050/15
25.03.2015	Adopted Policy 3.4 Road Hierarchy	OCM 052/15
25.03.2015	Adoption of Policy 2.22 and 2.23	OCM 054/15
22.04.2015	Adoption of Policy 2.24	OCM 073/15
22.04.2015	Adoption of Policy 2.25	OCM 075/15
22.04.2015	Roads Hierarchy for Policy 3.4 updated	OCM 087/15
27.05.2015	Adoption of Policy 2.7	OCM 089/15
27.05.2015	Review and adoption of amended Policy 1.1	OCM 091/15
27.05.2015	Policies 1.19, 1.24 and 2.13 deleted/revoked	OCM 092/15
27.05.2015	Policies reviewed – no changes – 1.3, 1.5, 1.7, 1.8, 1.11, 1.14, 1.22, 1.25, 2.8, 2.9, 2.10, 2.14, 2.15, 2.16, 2.19 and 4.1	OCM 092/15
27.05.2015	Policies reviewed and amended – 1.4, 1.6, 1.7, 1.10, 1.15, 1.17, 1.23, 2.1, 2.11 and 2.12	OCM 092/15
08.07.2015	Amended Policy 1.26	OCM 106/15
28.10.15	Review and adoption of amended Policy 1.11	OCM 160.15
14.12.2015	Adoption of Policy 2.27	OCM 183/15
14.12.2015	Review and adoption of amended Policy 2.6	OCM 184/15
14.12.2015	Adoption of Policy 2.26	OCM 184/15
07.12.2016	Review of Policy Manual – no changes	OCM 117/16
25.01.2017	Out of District Allowance (amendment) 2.18	OCM 008/17
22.02.2017	Adoption of Occupational Safety & Health Policy 5.1 /OSH001	OCM 023/17
22.02.2017	Adoption of Policy 7.1 Drug & Alcohol	OCM 028/17
22.02.2017	Adoption of Policy 7.2 Discrimination, Harassment & Bullying	OCM 028/17
22.02.2017	Adoption of Policy 7.3 Grievances, Investigations & Resolution	OCM 028/17

# Shire of Wiluna Policy Manual

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## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>THE POLICY MANUAL RECORD</b>
<b>POLICY NO:</b>	<b>1.1</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED: (INC AMENDMENTS)</b>	<b>25 SEPTEMBER 2013 RESOLUTION 085/13</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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- 1 It is the policy of Council to maintain a manual that records the various policies of Council.
- 2 Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
- 3 The objectives of the Policy Manual are:
  - To provide Council with a formal written records of all policy decisions; and;
  - To provide the staff with precise guidelines in which to act in accordance with Council wishes; and;
  - To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council; and;
  - To enable Councilors to adequately handle enquiries from electors without undue reference to the staff or the Council; and;
  - To enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances; and;
  - To enable the ratepayer to obtain immediate advice on matters of Council policy.
- 4 The Policy Manual will be maintained and updated as and when a policy is adopted, varied or rescinded by the Council and a register showing past policies of the Council must also be maintained
- 5 The Policy Manual is to be uploaded onto the Shire of Wiluna's website, and amended policies are to be uploaded as soon as is practicable after adoption by the Council
- 6 The Council is to carry out a review of the complete policy manual annually preferably when the delegations of authority to the Chief Executive Officer are reviewed; a review of individual policies must also be done within two years from adoption of that policy or its last review
- 7 All Staff and Councillor's are to be provided access to and/or a copy of the Policy Manual. The manual remains the property of the Council.
- 8 Provision of printed/hard-copies to other parties is at the discretion of the Chief Executive Officer and may incur copy charges (as set in the annual fees and charges adopted each year by Council).

## **Shire of Wiluna Policy Manual**

All printed copies issued must be done so with a disclaimer that printed copy is only warranted at the time of printing and that reference should be made to the official manual (located on Shire's website) rather than relying upon printed copy.

9 Changes to Council policy shall only be made on:

- Resolution of Council, or
- Requirements of statute or legislation, in order to ensure compliance.

Any changes to policies because of statutory/legislative compliance are to be authorised by the Chief Executive Officer and reported at the next ordinary Meeting of the Council.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>PUBLIC QUESTION TIME</b>
<b>POLICY NO:</b>	<b>1.3</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
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Council welcomes those who wish to attend any meeting of the Council.

The Local Government Act 1995 (*“the Act”*) requires that Council set aside a period of “Public Question Time” in order to enable a member of the public to put to the Council a question about any works, services or activity of the Shire/Council or of the Shire Council involvement.

The Act and the Shire of Wiluna Local Law (Standing Orders) 1999 sets out the procedure and process for the asking of and responding to questions raised. The actual proceedings may vary on occasion, however, they are determined by the Chairperson presiding at the meeting (normally the Shire President).

Public Question Time is held at the beginning, in accordance with the agenda, of any meeting of the Council that is open to the public (unless the Act or associated regulations prescribe otherwise) and will generally run for 15 minutes. If there are more questions than this time permits, the Chairperson may allow the forum to operate for a longer period. If there are no questions or insufficient questions (in terms of time), the Chairperson may then decide the forum will last less than the 15 minute period.

The intent of the Act is that Public Question Time precedes the discussion of any matter that requires a decision to be made by Council. The purpose/intent is to also ensure that questions be directed, in the first instance, to matters to be discussed by Council at that meeting.

The Department of Local Government, Sport and Cultural Industries operational guidelines for managing public question time provides that each person who wishes to ask a question is to be given an equal and fair opportunity to do so and to receive a response. However, in order for ‘Public Question Time’ to be effective, the time must be managed by the Chairperson presiding. Wherever possible, responses to the question will be provided at that same meeting. Responses may be provided by staff, but this is also decided upon by the Chairperson.

Giving full regard to legislative and statutory requirements and best practice guidelines, the following will be applied at any Meeting of the Council of the Shire of Wiluna:



## **Shire of Wiluna Policy Manual**

- 1 Questions on matters listed in the Agenda for that meeting will be given first priority;
- 2 Persons wishing to ask questions will be requested to come forward and
  - a) Give their name
  - b) State their question;
- 3 The question will be responded to, taken on notice, or not accepted by the Chairperson;
- 4 Statements are not to be read out – It is QUESTION time;
- 5 Public Question Time is not to be treated as an arena for debate
- 6 Each member of the public will be given equal opportunity to ask questions, and therefore they will be permitted to ask only three (3) questions initially;
- 7 If time permits, the Chairperson could allow individuals to ask further questions, after all members of the public have had the opportunity to put questions;
- 8 As per the Department of Local Government, Sport and Cultural Industries' 'Managing Public Question Time' guidelines, the Presiding Officer will NOT take questions that:
  - Are considered to be offensive or defamatory in nature and would potentially expose the Shire of Wiluna to legal action for republishing defamatory remarks – the person may be invited to rephrase their question;
  - Contains offensive language or questions the competency of Council members, staff or associated persons;
  - Relate to the personal affairs or actions of Council members or employees;
  - Relate to confidential matters, legal advice or legal proceedings;
  - Have been answered by earlier questions, or questions at a previous meeting

Where a question is taken on notice, the question will be recorded and a written response provided to the questioner as soon as is practicable.

Where a question is taken on notice, the question will be included in the Minutes of the Meeting at which the question was asked. For reasons of clarity, the question will also be repeated in the Minutes of the Meeting at which the response is recorded.

There is a statutory requirement for a summary of both the question and the response given during Public Question Time to be recorded in the Minutes. The name of the person who asks the question will also be included in the summary.

The Department of Local Government, Sport and Cultural Industries' 'Managing Public Question Time' guidelines will be the reference for any issues that arise other than those referred to in this policy. The final decision, however, will be at the discretion of the Presiding Officer having given due regard to statutory requirements, aforesaid guidelines and provisions of this policy.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>GRATUITY PAYMENTS</b>
<b>POLICY NO:</b>	<b>1.4</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
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### Policy Statement

With effect from 01 July 2015: When an employee leaves their employment or is made redundant, they may be given a good or service as a token of appreciation for their commitment and service to the Shire of Wiluna.

### Policy Objective

This Gratuity Policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the Local Government Act 1995 and Local Government Administration Regulations 1996, specifically regulation 19a. A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy does not form a contractual entitlement for any employee of the Local Government.

### Commitment

The Shire of Wiluna is committed to recognising long serving employees within the parameters set by the Local Government Act 1995 and the associated regulations.

### Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Local Government for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Shire);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Shire of Wiluna for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy.

## Shire of Wiluna Policy Manual

### Prescribed Amounts for Gratuity Payments

For Officers other than the Chief Executive Officer:

<b>Number of Years' Service</b>	<b>Amount of Gratuity</b>
<u>Continuous service of less than 2 years</u>	<u>Statement of Service</u>
<u>Continuous service greater than 2 years but less than 5 years</u>	<u>A Statement of Service and a gift, or contribution towards a gift, to the value of \$20.00</u>
<u>Continuous service greater than 5 years but less than 10 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$20 for each year of service.</u>  <u>Items to be presented to the employee by the CEO, or nominated representative at a time and place determined suitable by the CEO</u>
<u>Continuous service greater than 10 years but less than 15 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$30.00 for each year of service.</u>  <u>Items to be presented to the employee by the CEO, or nominated representative at a time and place determined suitable by the CEO.</u>
<u>Continuous service greater than 15 years but less than 20 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$40.00 for each year of service.</u>  <u>Items to be presented to the employee by the CEO, or nominated representative at a time and place determined suitable by the CEO.</u>
<u>Continuous service greater than 20 years</u>	<u>A Statement of Service and a gift or contribution towards a gift of \$50.00 for each year of service.</u>  <u>Items to be presented to the employee by the CEO, or nominated representative at a time and place determined suitable by the CEO.</u>

The Local Government Administration Regulations 1996 Part 4 (19A) limits the monetary value of gratuities paid to employees who are finishing employment with a local government to a maximum \$5000.00.

For the Chief Executive Officer:

Council to consider a payment of up to a maximum for \$5,000.00 based on the Council's assessment of the quality of service of that Chief Executive Officer and not the length of service.

The Local Government Administration Regulations 1996 Part 4 (19A) limits the monetary value of gratuities paid to employees who are finishing employment with a local government to a maximum \$5000.00.

The Shire of Wiluna acknowledges that at the time this policy was adopted, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by legislation or a relevant industrial instrument.

The Shire of Wiluna has considered these provisions when settling the prescribed amount of any gratuity payment in this policy.

## Shire of Wiluna Policy Manual

### Determining Service

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
  - Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or
  - Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.
- For the purpose of this policy, continuous service shall not include:
- Any period of unauthorised absence from duty unless **Council** determines otherwise;
  - Any period of unpaid leave unless the **Council** determines otherwise; or
  - Any period of absence from duty on parental leave unless the **Council** determines otherwise.

### Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Shire of Wiluna in relation to any claims or liabilities for taxation in relation to the gratuity payment.

### Payments in addition to this Policy

The Shire of Wiluna agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Shire of Wiluna has caused local public notification to be given in relation to the variation.

### Final Determination

The Chief Executive Officer shall make the final determination with respect to whether an employee will receive and the form of the gratuity to be made, taking into account the employee's performance over the eligible period of service.

In the case of the gratuity payment applying to the Chief Executive Officer, the Council must make the final determination with respect to whether the Chief Executive Officer will receive and the form of the gratuity to be made, taking into account the employee's performance/quality of service.

### Financial Implications

The Shire of Wiluna acknowledges that at the time the policy was introduced, the financial implications to the Shire of Wiluna were understood and that these financial implications had been investigated based on the workforce position current at that time.

The Shire of Wiluna will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

### Consequences of Breaching this Policy

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment. Any breaches of the policy may lead to disciplinary action.

### Variation to this Policy

This policy may be cancelled or varied from time to time by Council resolution or if statutory/legislative requirements require so. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>PUBLIC RELATIONS - GREETINGS</b>
<b>POLICY NO:</b>	<b>1.5</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
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<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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It is the Council's Policy to send flowers, cards or small gifts and insert suitable notices in the local paper to recognise personal events in the lives of staff members, Councillors, past Councillors, prominent and long-term citizens of the Shire of Wiluna.

Those persons to be recognised for well wishes will be at the discretion of the Chief Executive Officer in confirmation with Councillors and staff, but due regard is to be given to such things as length of service, service to the community and community attributes.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>CITIZENSHIP CEREMONIES</b>
<b>POLICY NO:</b>	<b>1.6</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
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<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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That as a matter of policy, with regard to the Conduct of Citizenship Ceremonies:

- 1 The Chief Executive Officer, Shire President and Deputy Shire President are authorised to conduct citizenship ceremonies for the Shire of Wiluna
- 2 The timing and venue of the citizenship ceremony and the Authorised person to conduct the ceremony is to be determined by the Chief Executive Officer in liaison/consultation with the person to be granted their citizenship
- 3 In the event that the Chief Executive Officer, Shire President or Deputy Shire President are not be available on the date determined under sub-paragraph two (2), the Chief Executive Officer is to authorise a Councillor that is available, to conduct the ceremony.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>USE OF SHIRE LOGO</b>
<b>POLICY NO:</b>	<b>1.7</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 SEPTEMBER 2013 RESOLUTION 086/13</b>
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- 1 The Shire of Wiluna logo is as follows:



- 2 The Shire of Wiluna logo is to be shown on official Shire of Wiluna material and stationery and/or as directed by the Chief Executive Officer and/or Council. This includes but is not limited to: letterheads, envelopes, reports and publications, agendas and minutes.
- 3 The use of this logo is only allowed through written permission of the Chief Executive Officer, and will only be considered for Shire/Council sponsored events or programmes, or where there is a clear demonstration of a commercial or strategic benefit to the Shire of Wiluna.
- 4 Unauthorised use of the logo may result in the Chief Executive Officer taking appropriate legal action.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>MEDIA STATEMENTS</b>
<b>POLICY NO:</b>	<b>1.9</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
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### Policy Objectives

- To provide a framework for Council and staff when liaising with the media and provide consistency of messages.
- The objective of all media liaison should be to promote the positive image of the Shire, to provide effective media communication with the community and to provide a mechanism for the role of Council as the 'entity' and individual Councillor's when requested to make media comment.
- The Shire aims to provide timely, accurate information to the community through the media and to be open and transparent in its operations.
- The value of the media to local government cannot be underestimated. This organisation should maintain a good working relationship with journalists and editors and endeavour to address media enquiries promptly.

### Definitions:

Media is defined as all electronic and print media organisations including:

- Newspapers
- Television
- Radio
- Magazines
- Professional Journals
- Freelance Journalists
- News Websites
- Social Media

A media release is a document intended for the media to inform or promote any aspect or activity of the Shire.

### Policy:

The Shire of Wiluna encourages the use of the media as part of their strategic plans to promote the efforts of the Shire of Wiluna.

The Chief Executive Officer is responsible for managing all media liaison to ensure maximum impact, enhanced presentation of photo opportunities, radio and television coverage.



## Shire of Wiluna Policy Manual

### **Procedure:**

#### Media Spokesperson

In accordance with the Local Government Act: the Shire President is the principal spokesperson for the Shire and Council. The Shire President may choose to delegate the commentary position to the Chief Executive Officer or Councillor.

It is acknowledged that the Chief Executive Officer will, when appropriate, be required to comment to the media regarding operational issues or matters of a general nature. When doing so, the Chief Executive Officer is not to offer Council view, attitude, stance or the like on any issue unless merely reporting a Council decision. The Chief Executive Officer will advise the Shire President of any comments made to the media to ensure a consistent, co-ordinated approach to media management is maintained at all times.

#### Media Releases

The principal method for the Shire to notify the media of events and activities is through a written media release. Staff are to complete a draft media release statement.

After a media release has been drafted it will proceed through the following approval process:

- 1 Chief Executive Officer to check factual components, context, potential liability and strategic context;
- 2 Shire President to have final approval
- 3 Copies of media releases to be emailed to Councillor's for their information.

In the case of the media release reporting information about an event/activity taking place or that has taken place and/or where the subject material is for information only and is not expected to be one of a controversial nature, the Chief Executive Officer is authorised to give the final approval.

#### Media Enquiries

The response will depend on the inquiry. The response may be in the form of a formal media statement, supplying quotes via email, an organised media briefing or direct phone response.

#### Shire Staff

On occasion, media representatives may contact the Shire staff directly for comment. This is to be discouraged and all such queries are to be directed in the first instance to the Chief Executive Officer.

The Chief Executive Officer is the sole contact for all media enquiries and is responsible for co-ordinating all media contact. If media contacts a Shire officer directly, the officer must inform the journalist that it is Shire policy for the journalist to approach the Chief Executive Officer, who will then liaise with and/or refer to the Shire President.

Staff, including the Chief Executive Officer, are not authorised to give comments on behalf of the Shire to the media unless they are the contact on a media release or have been authorised by the Chief Executive Officer with the Shire President's permission.

If a staff member is approached to make a personal comment to the media they need to ensure that no connection with the Shire is evident within the interview.

For example: staff expressing a personal view should not be wearing a Shire uniform or be filmed or photographed near a Shire building or vehicle.

## **Shire of Wiluna Policy Manual**

Staff members who use social media in their own free time, are not permitted to appear to represent views of the Shire or to act as spokesperson on behalf of the Shire. Shire staff must use discretion and not post anything that could reasonably be seen to be associated with their role at the Shire of Wiluna and/or the Shire of Wiluna and/or bring about disrepute or embarrassment for the Shire. Staff may be deemed to be breaching the Council's adopted Code of Conduct if they act contrary to this requirement

### **Councillors**

The Shire President is the principal spokesperson for the Shire and Council as expressed in the Local Government Act 1995. Councillors are not to express a Council view, attitude or stance on any issue without approval from the Shire President.

A Councillor's right to express a personal opinion on any issue of public interest is recognised and it should always be made clear to the journalist that they are expressing a personal opinion.

Councillors should advise the Shire President of any comments made to the media to ensure a consistent, co-ordinated approach to media management is maintained at all times.

Councillors who use social media in their own free time, are not permitted to appear to represent views of the Shire or to act as spokesperson on behalf of the Shire. Councillors must use discretion and not post anything that could reasonably be seen to be associated with their role at the Shire of Wiluna and/or Shire of Wiluna and/or bring about disrepute or embarrassment for the Shire. Councillors may be deemed to be breaching the Council's adopted Code of Conduct if they act contrary to this requirement.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>DONATIONS</b>
<b>POLICY NO:</b>	<b>1.10</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
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As a matter of policy:

1. Council will consider requests in writing for donations greater than \$500, all such requests will be considered on merit that will include but not be limited to the following:
  - (a) The purpose or reason for the donation request
  - (b) The role of that individual/organisation within the Shire of Wiluna district
  - (c) The benefits that will be incurred, or reasonably be expected to be incurred, by the Shire and/or residents and community at large from the purpose of the donation
  - (d) The benefits that will be incurred by the individual/body from the purpose of the donation
  - (e) Budgetary provisions/constraints
2. Donations of \$500 or less may be made at the discretion of the Chief Executive Officer after consideration of merits outlined in subparagraph 1; however, nothing is to prohibit the Chief Executive Officer from referring all written requests to the Council for determination
3. Any donation approved by the Chief Executive Officer is to be reported to Councillors in writing
4. Council and/or the Chief Executive Officer declines under any circumstances to provide standing or annual donations, preferring to re-assess the needs of individuals and organisations in such cases as and when appropriate.
5. The Chief Executive Officer is to determine and request from the applicant all/any information deemed necessary prior to the request being presented to Council for consideration or the Chief Executive Officer approving the donation.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>REGIONAL ALLIANCE</b>
<b>POLICY NO:</b>	<b>1.15</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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The Council of the Shire of Wiluna recognises the unique geographical location of the district of Wiluna with regard to the adjoining local governments and towns as well as regional centres/cities.

Unless legislation or statute requires otherwise (i.e. in the case of Regional Road Groups or Royalties for Regions funding): the Shire of Wiluna will collaborate/partner/co-operate or the like with the local government and/or regional organisation that is able to provide the better outcomes or benefit the Council is seeking.

The Council acknowledges that the Shire's participation in any collaboration / partnership / co-operations or the like is limited by financial implications and/or the other party's approval.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>GIFTS TO RETIRING MEMBERS</b>
<b>POLICY NO:</b>	<b>1.17</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD&amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>26 July 2017 RESOLUTION 121/17</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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As a matter of policy:

- 1 In consultation with the Shire President, the CEO may approve the purchase a gift for retiring members in accordance with the requirements of the Local Government (Administration) Regulation 34AC:
  - (a) The retiring member must have served 1 full 4 year term.
  - (b) The gift may be to an amount up to \$100 for each year of service to a maximum of \$1,000 in total.
- 2 When making a decision as per subparagraph one (1) , consideration to be given to:
  - (a) The length of continuous service of the retiring member
  - (b) The quality of service of the retiring member including but not limited to: community and key stakeholder relationships and active participation as an elected member
- 3 Wherever practicable such a gift should be presented at a Council meeting.

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>URANIUM MINING IN THE SHIRE OF WILUNA</b>
<b>POLICY NO:</b>	<b>1.20</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED/ REVIWED:</b>	<b>15 DECEMBER 2014 Resolution 169/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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The Shire of Wiluna supports continuing exploration for uranium in the Shire and will consider giving its approval to applications to mine uranium on the understanding that any company proposing to mine uranium will:

- comply fully with all statutory requirements
- give a clear undertaking that it will strive to attain best practice and zero harm in its operations at all times
- work with the Council to assess the likely social, economic and environmental impacts on the Shire
- include Council in all community investment and development planning and social impact assessments it may undertake
- work with Council to develop and implement a Community Development Plan over the projected life of the mine so as to create a sustainable environment for the community now and into the future.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>ELECTED MEMBERS: REPRESENTATION/DELEGATION &amp; PROFESSIONAL DEVELOPMENT</b>
<b>POLICY NO:</b>	<b>1.25</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 March 2013</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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### 1 INTRODUCTION

It is important that Elected Members/Councillors, as part of their roles and responsibilities as a Councillor, participate in professional development by attendance at conferences, seminars, training and development programmes, as well as undertake representation / delegation on behalf of the Shire of Wiluna.

### 2 OBJECTIVE/AIM

The intention of this policy is to:

- Create the framework from within which the Chief Executive Officer can administer Elected Members professional development and representation
- Ensure there is equity in the distribution of professional development opportunities for elected members
- Strike a balance between financial imposition and beneficial outcomes of elected member professional development opportunities

### 3 DEFINITIONS

For this purpose of this policy:

- (a) Council/Shire-related events outside the district: This is in respect of those meetings that Councillors are required to attend as part of their role and includes: GVROC, Regional Road group, Northern GVROC Group, Cue Parliament, Tourism Associations, regional council memberships, meeting with Ministers of the Crown, and where Councillor/s attending is making a direct representation on behalf of the Council. The term delegate and/or representative may be referred to.
- (b) Elected members professional development relates to those opportunities for opportunities directly related to the role and responsibility of Councillors. The term delegate may be used here.

The WALGA elected member development courses included in the Diploma of Local Government and the annual Local Government week conference are included in this category.

## **Shire of Wiluna Policy Manual**

- (c) Other: Often there are other local government conferences, seminars and so forth where it is desirable that the Shire have a delegate/s or where the attendance may be beneficial. The National General Assembly of Local Government, Developing Northern Australia, SEGRA and the National Local Roads and Transport Congress are included in this category. The term representative or delegate will be used here.

### **POLICY STATEMENT**

#### **4 Council/Shire-related events outside the district:**

##### **4.1 Attendees:**

- a) Representatives will be as per Council resolution; representation can only be changed/amended upon Council resolution
- b) Deputy/proxy delegates are encouraged to attend where possible to ensure that they are sufficiently knowledgeable and familiar with the business of the particular committee/organisation
- c) If an opportunity to meet with a Minister, ministerial committee or representative, joint standing committee and the like arises and the timing is before a Council resolution can be adopted, the Chief Executive Officer is to liaise with the Shire President to determine approval for attendance

##### **4.2 Costs/expenses:**

- a) The cost of travel and accommodation for the delegates, including meals and other business related expenses, will be met by the Shire of Wiluna
- b) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the delegate/representative should they be unable to take their own vehicle and do not wish to use other alternative transport
- c) Representatives who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal (WA) for elected members
- d) The cost of accommodation and meals for the delegates' partner/representative will also be met by the Shire; travel will not be reimbursed for the partner.

#### **5 Elected members professional development**

##### **5.1 Local Government Week:**

- a) All Councillors and the Chief Executive Officer are authorised to attend the annual WA Local Government Week
- b) The costs of travel and accommodation, including meals and other business related expenses, will be met by the Shire of Wiluna
- c) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the delegate / representative should they be unable to take their own vehicle and do not wish to use other alternative transport



## Shire of Wiluna Policy Manual

- d) Representatives who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal for elected members
- e) The cost of accommodation and meals for the delegates' partner / representative will also be met by the Shire; travel will not be reimbursed for the partner, nor will costs for "partner programmes" at the event

### 5.2 WALGA Courses – Diploma of Local Government:

#### 5.2.1 *Online*

- a) Any Councillor is authorised to attend any WALGA course that a core or elective unit of the Diploma of Local Government online
- b) The cost of the online enrolment will be met by the Shire of Wiluna
- c) A training record, including proof of attendance and statement of attainment is required to be kept on the Shire's record management system

#### 5.2.2 *In-person*

- a) Any Councillor is authorised to attend any WALGA course that a core or elective unit of the Diploma of Local Government in person
- b) The cost of travel and accommodation for the delegates, including meals and other business related expenses, will be met by the Shire of Wiluna
- c) Where possible and subject to availability, the Chief Executive Officer will make a vehicle available to the delegate / representative should they be unable to take their own vehicle and do not wish to use other alternative transport
- d) Delegates who wish to take their own vehicles will be reimbursed by the Shire of Wiluna at the applicable vehicle rate as set by the Salaries and Wages Tribunal for elected members
- e) The cost of accommodation and meals for the delegates' partner / representative will also be met by the Shire; travel will not be reimbursed for the partner, nor will costs for "partner programmes" at the event

#### 5.2.3 *Other Professional Development*

- a) Attendance at any other professional development opportunity must first be approved by Council resolution, with the Council also resolving what expenses/costs will be met by the Shire of Wiluna

## 6 Other:

### 6.1 National General Assembly of Local Government Week

- a) It is desirable that the Shire of Wiluna send a maximum of two elected members and the Chief Executive Officer to this annual conference;
- b) Costs as outlined in Sub-paragraph 5.1 sub-sections a and b will be met by the Shire of Wiluna;

## **Shire of Wiluna Policy Manual**

- 6.2 National Local Roads and Transport Congress  
Requirements as per sub-paragraph 5.1 sub-section a) and b) will apply;
- 6.3 Developing Northern Australia  
Requirements as per sub-paragraph 5.1 sub-section a) and b) will apply;
- 6.4 SEGRA  
Requirements as per sub-paragraph 5.1 sub-section a) and b) will apply;
- 6.3 Other conferences/seminars/forums etc.  
If a Councillor believes attendance at any of the above (3.(c)) or the like would be beneficial or in best interest of the Council, a resolution of Council is required regarding delegates and costs to be met.

## **7 Equitable Opportunities**

- 7.1 Events outside the district
  - a) Councillors who are nominated as delegates/representatives for Council / Shire related events outside of the district are expected to make every reasonable effort to attend the required events
  - b) Council may resolve to have the Councillors removed as the delegate / representative if there is no reasonable commitment from the Councillors with attendance
- 7.2 Elected Members Professional development and Other attendance  
With reference to sub-paragraphs 5 and 6:
  - a) Each Councillor shall be entitled to attend the annual local government week; and
  - b) Each Councillor shall be entitled to attend at least one external professional development, conference/seminar/etc. opportunity
- 7.3 Non attendance  
There is not compulsion on any/all Councillors to meet attendance as per sub-paragraph 7.2; whilst attendance is strongly encouraged, it is at the choice of the Councillor

## **8 Repayment of expenses**

- 8.1 Resignation or removal from office  
If a Councillor willingly resigns from Council or is removed from Council through virtue of the Local Government Act and/or associated regulations or decision of a competent court of jurisdiction then:
  - a) that Councillor may be required to repay to the Shire the expenses incurred for that Councillor attending an event outlined in sub-paragraphs 5 and 6; subject to a resolution by Council IF the attendance was in the 2 months proceeding the resignation/removal
- 8.2 Misappropriation or errant claims  
If a Councillor is found to have deliberately misused, falsified or made errant claims for travel and expenses incurred or reimbursed by the Shire (for any costs mentioned in this policy):
  - a) that Councillor may be required to repay to the Shire the expenses incurred, subject to a resolution from Council

### 9 Reports of Delegates/Representatives

Councillors and Officers attending any conferences, seminars or meetings as delegates or representatives of the Council are required to provide a brief report on the issues/outcomes, to the next Council Forum.

This would apply to attendance at events defined in sub-paragraph 5 and 6 but not does apply to sub-paragraph 4.

### 10 Limitations

Nothing in this policy should be interpreted as:

- a) Preventing the Council from authorising by resolution attendance at any opportunity by any Councillor;
- b) Preventing a Councillor from attending any conference/seminar/professional development/training etc. at their own expense;
- c) This limitation does NOT apply where protocol or Council resolution would prohibit their attendance (e.g. Council resolution of delegates to meet Minister of Crown)

Wherever possible, the Chief Executive Officer will organise training/development to be held in Wiluna for both Officers and Councillors, given the cost benefits and the greater attendance likely. In this instance, this training and development would not be considered as referred to in paragraph 7.2 (b); that is, Councillors can still attend at least one external conference/training/professional development opportunity in addition to on-site training.

### 11 Administration and Breaches

The Chief Executive Officer is to administrate/manage this policy, which includes but is not limited to:

- Receiving requests for attendance
- Requesting Council resolution
- Transport, accommodation and other logistical arrangements
- Records management including training and attendance registration and certifications/participation records
- Report to the Shire President and/or full Council any breach or attempted breach of this policy by any Councillors/s

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>ELECTED MEMBERS REMUNERATION</b>
<b>POLICY NO:</b>	<b>1.26</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>28 June 2017 Res. 102/17</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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1. That annual allowances including Presidents Allowance and ITC Allowance be paid by monthly instalments.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>WILUNA CARAVAN PARK RULES</b>
<b>POLICY NO:</b>	<b>1.27</b>
<b>SECTION:</b>	<b>GOVERNANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>11 OCT 2017 RES 152/17</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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### **WILUNA CARAVAN PARK PARK RULES (Terms & Conditions)**

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- 1. Check in time**
  - From 11.00am
- 2. Check out time**
  - By 10.00am
- 3. Site Fees**
  - Site Fees must be paid in advance and no refund will be allowed due to cancelled bookings.
  - Site Fees will be reviewed at least once every year.
- 4. Office Hours**
  - Office opening hours are 8.00 am – 4.30 pm (week days).
- 5. Noise**
  - Patrons must be respectful at all times to each other and not make any noise that may offend others including neighbouring properties.
  - Quiet time in the Caravan Park is between the hours of 10.00pm to 6.00am each day.
- 6. Speed**
  - The speed limit within the Caravan Park is strictly 8km per hour (walking pace). This speed limit also includes the use of bicycles and other similar type vehicles.
- 7. Pets**
  - Pets are only allowed in the Caravan Park with the Caretaker's/Other Authorised Shire Staff approval.
  - The Caretaker will only approve pets that appear to be friendly to people and other animals and can be appropriately secured.
  - Pets that have been declared dangerous are not permitted in the Caravan Park under any circumstances.
  - Pets must be secured on a leash while walking around the Caravan Park.
  - No pets are allowed in the ablution blocks, campers' kitchen or recreational area.
  - Owners are requested to please clean up after their pets and dispose of their waste in bins provided.

**8. Smoking**

- Smoking is not permitted inside the caretaker's cottage, ablution block, campers' kitchen or recreational area.
- Smokers are requested to use the ashtrays as provided and are requested to please not put their cigarette butts on the ground.

**9. Visitors**

- Visitors must report to the Caretaker/Other Authorised Shire Staff on arrival.
- Visitors must park their vehicles in the designated visitors' parking area.
- Visitors are not allowed to use the Caravan Park's ablution block facilities.

**10. Excessive use of Power**

- The use of power tools such as welders and grinders are not permitted in the Caravan Park.

**11. Water Conservation**

- The Shire encourages the responsible use of water within the Caravan Park.
- Patrons are only allowed to take up to a maximum time of 5 minutes per shower.
- All private gardens must be approved by the Caretaker/Other Authorised Shire Staff.
- Private washing machines can only be used if approval is given by the Caretaker or other Authorised Shire Staff.

**12. Car Parking**

- Only one car is strictly permitted per site.
- Approval may be given by the Caretaker or other Authorised Shire Officer, to park more than one vehicle on site.
- All on-site cars must be registered at the Caravan Park reception on arrival.
- All other vehicles or visitors' vehicles must remain in the visitors' parking area.

**13. Quad Bikes / Recreational Motor Bikes**

- No quad bikes, trail bikes or recreational motor bikes are to be ridden in the park under any circumstances.

**14. Open Fires**

- Open fires are not permitted in the Caravan Park.

**15. Setting Up on Site**

- All caravans/camper trailers must have their draw bars facing the roadway in accordance with the Caravan Parks and Camping Grounds Regulations 1997.
- All caravans/camp sites must be 3 metres away from each other. This is the Patron's responsibility and failure to comply may result in the Caretaker/Other Authorised Shire Staff moving their tent or caravan to adhere to these regulations.
- No canopy is to be installed with star pickets unless approved by the Caretaker or other Authorised Shire Staff.

**16. Use of Power Cables and Hoses**

- The Shire will only allow well-maintained power cables and hoses to be connected to its power outlets, water taps and drainage system.
- The Caretaker may remove any power cable and/or hose that is considered not to be well maintained or dangerous without notice.
- Patrons are not to dispose of waste water directly on to the ground and must use the Caravan Park's designated drainage system.

## **Shire of Wiluna Policy Manual**

### **17. Washing**

- Washing can only be hung out on the Caravan Park's approved clothes lines.
- Permission is needed from the Caretaker/Other Authorised Shire Staff to use a private washing machine in the Caravan Park.

### **18. Supervision of children**

- Children must be appropriately supervised by an adult whilst in the Caravan Park at all times.

### **19. Cancellation Policy**

- The Shire will not refund any Site Fees it has already received if a Tenant cancels their booking.

### **20. Responsible use of Alcohol**

- The Shire does encourage the responsible consumption of alcohol.
- Person who become intoxicated may be asked to leave the Caravan Park
- The driving of a vehicle within the Caravan Park whilst under the influence of drugs or alcohol is not permitted.

### **21. Illegal Drugs**

- The possession or use of illegal drugs within the Caravan Park is not permitted. Offenders will be reported to the Police and evicted from the Caravan Park.

### **22. Trucks Parking**

- Trucks are not permitted to be parked in the Caravan Park.

### **23. Use of Ablution Blocks**

- Patrons may not provide any other person the Ablution Block key or otherwise allow access to the Ablution Blocks facilities.
- Patrons are not allowed provide the keypad code to any third person.
- Waste water and sewerage is not to be disposed of in the Ablution Blocks.
- Only Patrons and approved persons may use the Ablution Blocks.
- The washing kitchen dishes/utensils in the Ablution block is not permitted, a campers Kitchen is provided for this purpose.

### **24. Campers Kitchen and Recreation Area**

- Only Patrons can use the Campers Kitchen and Recreational Area.

### **25. Sleeping in Unauthorised Buildings**

- Under no circumstances are Patrons allowed to camp or sleep in the Ablution Blocks, Campers Kitchen or other recreational areas.

### **26. Portable Toilet Waste Water Disposal Facility (Dump Point)**

- Only Patrons may use the Portable Toilet Waste Water Disposal Facility.
- Key to the Toilet Waste Water Disposal Facility can be obtained from the Caretaker/Other Authorised Shire Staff.

### **27. Tents**

- Patrons can only camp in a tent for a maximum of 14 days within any three month period. The Caretaker/Other Authorised Shire Staff may approve an additional 14 days stay.
- No tent is allowed to be setup directly below a large tree.

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### **28. Lease Agreements**

- Long stay Patrons will be offered a maximum of a three-month lease which may be renewed.

### **29. Annual Site Fees& Charges Review**

- Site Fees will be reviewed at least once every year.

### **30. Sale of Caravans, Furniture and Equipment**

- No sale of tenant's caravans, furniture and equipment is allowed within the Caravan Park.

### **31. Structures**

- Patrons are not to erect or construct a permanent type structure without the Shires approval.

### **32. Boundary Fence**

- No one is allowed to climb over/under or otherwise interfere with the boundary fence.
- Entry to the Caravan Park is to be via the official entry areas.
- Any Patrons or Visitor that is caught breaching this rule may be asked to leave the Caravan Park.
- Any other person who is caught breaching this rule without a legitimate reason for being in the Caravan Park maybe prosecuted with trespassing.

### **33. Dongars/Park Homes/Transportable Buildings (Private Ownership)**

- Under no circumstances are privately owned dongars; park homes or other transportable buildings allowed in the Caravan Park.

### **34. Compliance to Park Rules**

- All persons are expected to behave in a manner which is conducive to the safety, comfort and convenience of others in the Caravan Park.
- A breach of the Park Rules may result in the summary eviction of the offender at the discretion of the Caretaker/Other Authorised Shire Staff.

Note: Unless provided for in these Park Rules (Terms & Conditions), patrons and visitors must follow all reasonable and lawful directions given to them by the Caretaker or Other Authorised Shire Officers.



## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>FLYING OF FLAGS</b>
<b>POLICY NO:</b>	<b>2.1</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015 RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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As a matter of Council policy:

- 1 The Australian National Flag, the Australian Aboriginal Flag, the Western Australian Flag and Shire of Wiluna Flag are to be flown outside the Shire Administration office during normal hours of business, once the flag poles have been installed outside of the New Administration building.
- 2 Flags are to be flown at half-mast for the whole day, on the day of the funeral of prominent local citizens, as determined by the Shire President and/or Chief Executive Officer.
- 3 Flags are to be flown in any manner or form as advised by Commonwealth and/or State Government directives.
- 4 Notwithstanding above, whenever practical, flags must always be flown in accordance with Commonwealth Flag Protocol at any given time or date.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>PURCHASE OF GOODS AND SERVICES</b>
<b>POLICY No.:</b>	<b>2.6</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>14 APRIL 2017 RESOLUTION 066/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### 1 POLICY

The Shire of Wiluna (the –“**Shire**”) is committed to achieving good practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the *Local Government Act 1995* (the “**ACT**”) and part 4 of the *Local Government (Functions and General) Regulations 1996*, (the “**Regulations**”) Procurement processes and practices to be complied with are defined within this Policy and the Shire’s prescribed procurement procedures.

### 2 OBJECTIVES

The objectives of this Policy are to ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Shire;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures of the Shire;
- ensure performance with regard to quality timeliness of supply and delivery;
- mitigate risks to the Shire related to late performance and other breaches of contract;
- mitigate probity risk, by establishing consistent and demonstrated processes that promote openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Shire and that ethical decision making is demonstrated.

### 3 ETHICS & INTEGRITY

#### 3.1 Code of Conduct

All officers and employees of the Shire must have regard for the Code of Conduct (refer Code of Conduct Policy, March 2017) requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Shire must act in an honest and professional manner at all times which supports the standing of the Shire.

#### 3.2 Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

## Shire of Wiluna Policy Manual

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- time and delivery are of the essence of every contract for the supply of goods and services – consequently all quotations, purchase orders, invitations to quote, requests for tenders, requests for proposals, expressions of interests, supply contracts etc. must include delivery dates and/or completion dates (as the case requires);
- the ability of tenderers and other potential suppliers to deliver or to complete the contract (as the case requires) within the required time must form part of the assessment of every quotation, tender, expression of interest, etc.
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently (but this does not preclude making adjustments for risk in relation to potential suppliers who have performed poorly in the past);
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

## 4 VALUE FOR MONEY

### 4.1 *Policy*

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Shire.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

### 4.2 *Application*

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ability to inspect within reasonable timeframe, terms of after sales service, commitment to respond to issues within reasonable timeframe.

## Shire of Wiluna Policy Manual

- the costs and consequences of potential delays in delivery.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirement associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses with the Shire's boundaries to quote for the provision of goods and services wherever possible.

## 5 PURCHASING REQUIREMENTS

### 5.1 *Legislative/Regulatory Requirements*

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed by the Regulations, this Policy and associated purchasing procedures in effect at the Shire.

### 5.2 *Policy*

Purchasing that is **\$150,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 5.5 of the Purchasing Policy.

Purchasing that **exceeds \$150,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under 5.6 of this Policy is not deemed to be suitable.

### 5.3 *Purchasing Value Definition*

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extend to which it could be reasonable expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.
3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

### 5.4 *Purchasing from Existing Contracts*

Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract requires.

## Shire of Wiluna Policy Manual

### 5.5 Purchasing Thresholds

The table below prescribes the purchasing process that the Shire must follow, based on the purchase value. These requirements are the minima where risk will be reduced or better outcomes will be achieved by doing so:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000	Purchase directly from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire, or obtain at least one oral or written quotation from a suitable supplier. In the case of verbal quotations, detailed note of the full details of the verbal quotations received must be attached to the office copy of the purchase order and in the minimum must include: name of person providing quotation, name of firm, contact details, pricing including GST, brief scope of works/details of item for which quotation is sought. Purchasing Officers must still satisfy themselves that they have obtained a competitive price for the goods, service and/or infrastructure works (e.g. by telephone quotes, internet pricing etc.)
Over \$5,000 and up to \$20,000	At least two verbal or written quotations from suitable suppliers. In the case of verbal quotations, detailed note of the full details of the verbal quotations received must be attached to the office copy of the purchase order and in the minimum must include: name of person providing quotation, name of firm, contact details, pricing including GST, brief scope of works/details of item for which quotation sought.
Over \$20,000 and up to \$50,000	Obtain at least three written quotations from suppliers following a brief outlining the specified requirement.
Over \$50,000 and up to \$150,000	Obtain at least three written quotations from suppliers by formal invitation under a <i>Request for Quotation</i> , containing price and detailed specification of goods and services required (including required delivery or completion date). The procurement decision is to be based on pre-determined evaluation criteria that assess all compliance (including delivery/completion date) and value for money considerations in accordance with the definition stated in this Policy. Requests for quotations from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a <i>Request for Quotation</i> form; however, at least three written quotes are still required to be obtained.
Over \$150,000	Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 5.6 of this Policy, conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i> , this policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assess all compliance, risk, and value for money considerations in accordance with the definition stated in this Policy.

In each case where quotations are required (taking into account 3.2 Purchasing Principles and 4.0 Value for Money), quotations can be sought from:

- an existing panel of pre-qualified suppliers administered by the Shire; or
- a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or
- on the open market; or
- any combination of the above.

### **5.6 Tendering Exemptions**

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.
- the purchase is from a Regional Local Government or another Local Government;
- the goods or services are to be supplied by or obtained from the governments of the State or the Commonwealth or any of their agencies;
- the goods to be supplied are petrol or oil or any other gas or liquid automotive fuel;
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is from a pre-qualified supplier under a Panel established by the Shire; or
- any of the other exclusions under regulation 11 of the Regulations apply.

When making a decision about whether to conduct a public Tender or utilise a Tender exempt arrangement, the cost and benefits of both processes should be compared.

The compliance requirements, time constraints, costs and risks associated with a public Tender should be evaluated against the value delivered by such a process. This should then be compared with the costs and benefits of using a Tender exempt arrangement. Where market testing is warranted to ensure 4.0 Value for Money, a public Tender is advisable even when using pre-qualified Suppliers.

### **5.7 Inviting Tenders Under the Tender Threshold**

Where considered appropriate and beneficial, the Shire may consider publicly advertising Tenders in lieu of undertaking a *Request for Quotation* for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$150,000 or less in value, the Shire's tendering procedures must be followed in full.

### **5.8 Sole Source of Supply**

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire has written justification to support that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the written justification must be endorsed by the Chief Executive Officer or by the Council prior to a contract being entered into.

From time to time, the Shire may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.



### **5.9 Anti-Avoidance**

The Shire shall not enter two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of “splitting” the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relations to Tenders and to avoid the need to call a public Tender.

### **5.10 Emergency Purchases**

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Shire in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

## **6 RECORDS MANAGEMENT**

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000 (WA)*, the Shire's Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

- the Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- request for Quotation/Tender documentation;
- copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- copies of quotes/tenders received;
- evaluation documentation, including individual evaluator's notes and clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of award documentation;
- all correspondence to respondents notifying of the outcome to award a contract;
- contract Management Plans which describes how the contract will be managed; and
- copies of purchase orders and/or contract(s) with supplier(s) formed from the procurement process.

## **7 BUY LOCAL POLICY**

As much as practicable, the Shire must adopt 'buy local first' philosophy:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement plans address local business capability and local content;

## Shire of Wiluna Policy Manual

- explore the capability of local businesses to meet requirements and ensure (where practicable) that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and provide adequate and consistent information to potential suppliers.

To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within the Shire's Regional Price Preference Policy (Policy 2.7).

### 8 PURCHASING FROM DISABILITY ENTERPRISES

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value of money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

### 9 PURCHASING FROM ABORIGINAL BUSINESSES

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied by a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on [www.abdwa.com.au](http://www.abdwa.com.au), where the expected consideration under contract is worth \$250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses, or businesses that demonstrate a high level of aboriginal employment.

### 10 PANELS OF PRE-QUALIFIED SUPPLIERS

#### 10.1 Policy Objectives

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the panel will streamline and will improve procurement processes; and



## Shire of Wiluna Policy Manual

- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

### **10.2 Establishing a Panel**

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 of the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

### **10.3 Distributing Work Amongst Panel Members**

To satisfy Regulation 24AD (5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- i. obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 10.4; or
- ii. purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- iii. develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 10.3(b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items or work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or

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- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

### ***10.4 Purchasing from the Panel***

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

### ***10.5 Recordkeeping***

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- the Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- request for Applications documentation;
- copy of public advertisement inviting applications;
- copies of applications received;
- evaluation documentation, including clarifications sought;
- negotiation documents such as negotiation plans and negotiation logs;
- approval of ward documentation;
- all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- contract management plans which describes how the contract will be managed; and
- copies of framework agreements entered into with pre-qualified suppliers.

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The Shire is also to retain itemised records of all requests for quotations, including quotations received from pre-qualified suppliers and contracts award to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.

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<b>POLICY:</b>	<b>REGIONAL PRICE PREFERENCE</b>
<b>POLICY NO:</b>	<b>2.7</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 MAY 2017 RESOLUTION 064/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### 1 OBJECTIVE

To promote, support and develop local industry within the Shire of Wiluna by giving preferential consideration to regional suppliers in the procurement of goods and/or services through the tender process.

#### 1.1 Definitions

In this policy the following words have the following meanings:

**Local Industry** is a business within the Shire of Wiluna which conforms to the definition of a 'regional tenderer' under the Local Government (Functions and General) Regulations 1996.

**Price Preference** is defined as the willingness to pay a higher price for the procurement of goods and/or services that are supplied by a 'regional tenderer'.

**Regional Tenderer** is a supplier that has been operating a business continuously out of premises within the Shire of Wiluna for at least six (6) months and submits a tender for the supply of goods and/or services.

**Region** is the area/district within the Shire of Wiluna municipal boundary.

### 2 PRINCIPLES

The Shire of Wiluna will encourage local industry to do business with the Shire of Wiluna through the adoption of a regional price preference advantage, in conjunction with standard tender considerations. The price preference will apply to the provision of all goods and/or services via tender, with a regional component, unless the local government decides pursuant to Regulation 24G that the policy will not apply to a particular tender.

#### 2.1 Local Preference

A preference will be given to a regional tenderer by assessing the tender submission as if the price bids were as prescribed below:

- a) Goods and/or services reduced by 10%, up to a maximum price reduction of \$50,000;
- b) Construction (building) reduced by 5%, up to a maximum price reduction \$50,000; or
- c) Goods and/or services (including construction (building) services) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

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### **2.2 Local Regional Content**

The goods and/or services identified in a tender submitted by a regional tenderer may be:

- a) wholly supplied from regional sources; or
- b) partly supplied from regional sources and partly from non-regional sources,

However, only those goods and/or services identified in the tender as being from regional sources can be included in the discounted calculations.

### **2.3 Competitive Purchasing**

Whilst price is a competitive consideration in the provision of goods and/or services via tender, it is only one aspect of the tender evaluation process. Value for money principles and the best allocation of resources as discussed within Shire of Wiluna Policy 2.6 Purchase of Goods and Services will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.

The tender that is determined to be overall both cost effective and advantageous to the Shire of Wiluna will be the most likely to be accepted. However, the lowest or any tender is not or will not necessarily be accepted.

Shire of Wiluna Policy 2.6 Purchase of Good and Services applies for the procurement of all goods and/or services.

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Category of Goods, Services or Infrastructure works	Performance criteria and standards to be assessed	Local Content percentage required	Percentage by which local procurement cannot exceed total cost of procurement from outside the Shire	Comments
Perishable purchases including but not limited to catering, food, milk and such items	Nil – although suitable/appropriate items that represent value for money are to be acquired	N/A	Nil	LPP does not apply as these goods will generally be purchased locally.  In the event that more than one local supplier can supply and prices are comparable, the Shire will ensure purchases are made through all suppliers where possible
Bulk fuel purchases over 5000 litres	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire	N/A	0.5%	Nil
General minor purchases – including but not limited to non- perishable food stuffs, office paper, stationery, cleaning chemicals, printing requirements, minor household items, general office supplies and so on.	Available to supply both the required quantity and quality, but the required time, all as specified by the Shire. Historical performance on past contracts/purchase arrangements	N/A	10%	Nil
Office equipment (major) IT hardware and furniture/fittings	Available to supply both the required quantity and quality, by the requires time, all as specified by the Shire. Servicing and/or support for items purchased locally. Historical performance on past contracts/purchase arrangements	MUST be able to be supplied, serviced and supported locally.	10%	If equipment that can be procured locally cannot be supported and/or serviced locally, then the LPP will not be applied.
Infrastructure works including construction (building)	Available to supply both the required quantity and quality by the required time, all as specified by the Shire. Historical performance on past contracts/purchase arrangements.	50%	Value of Works (ex GST) Up to \$100,000 = 5% of \$10,000 whichever is the lesser \$100,001 to \$760,000 = 5% or \$38,000, whichever is the lesser \$760,001 upwards = 5% or \$50,000, whichever is the lesser	

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<b>POLICY:</b>	<b>HOUSING AND</b>
<b>ALLOWANCES POLICY NO:</b>	<b>2.10</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2102</b>
<b>LAST REVIEWED:</b>	<b>27 MAY 2015</b> <b>RESOLUTION 092/15</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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Subject to availability and policy 2.9, the Shire will provide rental free Shire owned housing to its **full time permanent (only) employees**.

### Housing

The assessed rental for Shire housing is:

4 bedroom house	\$450 per week
3 bedroom house	\$350 per week
2 bedroom house	\$250 per week
1 bedroom unit	\$150 per week

Permanently employed full time Shire employees provided with Shire housing will be entitled to a weekly housing rebate equivalent to the assessed rents above. This rebate will only be allowed to any one full time employee per house and will not apply if an employee shares accommodation with another person/s or resides with a person supplied with a house by another employer.

### Other Housing

The assessed rental for other housing is:

3 or 4 bedrooms	\$300 per week
1 to 2 bedrooms	\$250 per week

Permanently employed full time Shire employees not occupying Shire provided housing will be paid a weekly housing allowance equivalent to the assessed rents above. This allowance will only be paid to any one full time employee per house and will not apply if an employee shares accommodation with another person/s or resides with a person supplied with a house by another employer. It is intended for employees with their own house or have to rent a house in their own right when no other Shire housing is available. Proof of rental and ownership in the employee's name will be required.

### Water Charges:

The Shire will pay the cost of water rates in all Shire owned houses/units.

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The Chief Executive Officer can offer Free Water Consumption to staff who reside in a Shire house/unit, subject to the condition that they maintain their gardens to an acceptable standard.



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### Electricity Charges

The Shire will pay annual charge costs for all Shire houses/units.

The Chief Executive Officer can offer an annual Electricity Allowance of \$3,000 p.a. to staff who reside in a Shire house/unit.

**Note. Any allowances available to employees or benefits provided by Shire of Wiluna that are subject to income tax then the payment/benefit will be paid through the fortnightly salary/wages and attract the normal PAYG Tax that is deducted. FBT payable on any benefits payable under this policy will be paid by the Shire. The employee will be advised of this at the time of the arrangements being made.**

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**POLICY:**

**SHIRE  
SUPERANNUATION  
CONTRIBUTIONS**

**POLICY  
2.12**

**NO:**

**SECTION:**

**CORPORATE**

**COUNCIL MEETING HELD & ADOPTED:**

**JUNE 2012**

**LAST REVIEWED:  
MAY 2015**

**27**

**RESOLUTION 092/15**

**DATE  
MAY 2017**

**OF**

**NEXT**

**REVIEW:**

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That as a matter of Policy the Shire of Wiluna will make the following superannuation contributions to eligible employees' superannuation funds:

- 1 Up to a maximum of 10% contribution for Compulsory Occupational Superannuation.
- 2 An additional contribution up to a maximum of 5% for those employees making their own voluntary contribution to an eligible superannuation fund, subject to them making a matching contribution.

All contributions made by the Shire must be in compliance with the relevant statutes/legislation and nothing in this policy is to be used to prohibit/contravene/negate the requirements of such statutes/legislation.

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<b>POLICY:</b>	<b>INJURY MANAGEMENT</b>
<b>POLICY POLICY NO:</b>	<b>2.15</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>JUNE 2012</b>
<b>LAST REVIEWED:</b> <b>092/15</b>	<b>27 MAY 2015 RESOLUTION</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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The Shire of Wiluna is committed to assisting injured workers to return to work as soon as medically appropriate and will adhere to the requirements of the *Workers' Compensation and Injury Management Act 1981* in the event of a work related injury or illness.

Management supports the injury management process and recognises that success relies on the active participation and cooperation of the injured worker. Whenever possible, suitable duties will be arranged internally having regard for the injured worker's medical restrictions.

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<b>POLICY:</b>	<b>PAYMENT OF</b>
<b>ACCOUNTS POLICY NO:</b>	<b>2.16</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b> <b>2013 (INC AMENDMENTS)</b> <b>097/13</b>	<b>23 OCTOBER</b> <b>RESOLUTION</b>
<b>LAST REVIEWED:</b>	<b>26 July 2017</b> <b>Resolution 121/17</b>
<b>DATE OF NEXT REVIEW:</b>	<b>2019</b>

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### **Policy 2.16 Payment of Accounts**

**Intent:** Payment of expenses should be managed to incur the least risk and cost for the Council and the Shire. Flexibility in payment arrangements will ensure that less Shire resources are used in making payments. It is intended that making payments will always be authorised by an appropriately delegated officer. Any misuse of Council resources will not be tolerated and disciplinary and/or criminal action may result.

**Purpose:** This policy will outline the payment options available to the Shire and the controls over each type of payment method. This Council will make payments using Electronic Funds Transfer (EFT) or by using a Shire corporate credit card.

#### **Principles:**

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- 1) Wherever possible, payments will be made by EFT to a bank account nominated by the creditor which is the most cost-effective means of payment and allows for the timeliest receipt of payments.
- 2) Payments will be processed in a timely manner to ensure that the Shire obtains any prompt discounts, avoids late payment penalties and establishes the Shire's reputation as a business of choice for supplies.
- 3) Signatories/authorised persons for EFT payments are deemed either primary or secondary, with the relevant positions being grouped as follows:

Primary Signatory/Authorised  
Person

- Chief Executive Officer
- Deputy Chief Executive Officer
- Manager of Finance

Secondary Signatory/Authorised

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### Person

- Executive Manager Technical Services
  - Any other officer nominated by the CEO, from time to time as operational requirements may dictate.
- 4) All EFT or cheque payments are to be signed/authorised by two signatories / authorisation with **at least ONE** of those being a PRIMARY signatory / authorised person.

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- 5) In the case where an urgent/emergency payment is required and a primary signatory/authorised person is not on-site, two secondary signatories can sign the urgent/emergency payment and at least one primary signatory must then counter-sign when available. In this instance, the primary signatory, if contactable, should approve the use of two secondary signatories verbally or through other communication means
- 6) For any transfers of funds between the Shire of Wiluna's own operating accounts, including the transfer of funds between the Shire's Municipal, Trust, and Reserve accounts, or for transfer of funds into or from investment accounts, two signatories / authorisations are required as per points 3, 4 and 5.
- 7) All payments will be supported by:
  - a tax compliant invoice, if applicable.
  - notification by a Shire employee that the goods or services have been received
  - where required, a copy of the Shire's purchase order which has been signed by an authorising officer.
- 8) Those officers authorising EFT payments are responsible for ensuring the completeness and correctness of the voucher presented for payment.
- 9) A Shire employee cannot authorise a purchase or sign a voucher where that officer receives a personal benefit from the payment or purchase.
- 10) That a schedule of payments made in each month shall be presented to the Ordinary meeting of Council held in the subsequent month regardless of the payment system used.

### **PAYMENTS BY CHEQUE**

- 1) The Shire does not issue cheques for the payment of good or services.

### **PAYMENTS BY ELECTRONIC FUNDS TRANSFER (EFT)**

- 1) All EFT payments are to be subject to the same payment voucher and accounting requirements and In addition:
  - A copy of the funds transfer report generated by the banking system is to be retained and attached to invoices paid
  - Officers who enter passwords to sign on the funds transfer report, or on a suitable form indicating the transfer has taken place. This must also be attached to invoices paid.
- 2) The creditor must provide written confirmation of relevant bank account details prior to any EFT payments. Oral advice of bank account details is not sufficient. The form used to gather information about banking will also outline that the Shire will not make good on any monies deposited to wrong accounts. The form must be authorised by an owner or manager of the creditor business and email confirmation of changes a creditors banking details is not acceptable.

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- 3) Remittance advices, providing payment details, are to be forwarded to the vendor by email where available

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- 4) Any EFT payments which are rejected and returned to the Shire are to be followed up and corrected promptly. The party responsible for the error is responsible for recovering the monies. The Shire will only make a correcting payment to the creditor where the Shire is directly at fault. In this case, the Shire will take immediate action to recover the monies from the incorrect creditor.
- 5) Security will be paramount when dealing with on-line records. Authority to change the setup parameters of the Shire's on-line banking facility will not be vested in a single system administrator. Access to the system will be periodically reviewed. The Accounting System output files/bank input files are to be kept only in a restricted access file directory while awaiting upload to the bank. Access to the file directory where bank input files are kept is to be restricted.
- 6) Those that authorise electronic transfer are to ensure that they first reconcile each payment in a batch with appropriate payment vouchers, and that the vouchers have been properly prepared and authorised.
- 7) Any apparent discrepancies or charges that appear inappropriate are to be drawn to the immediate attention of the CEO.

### **PAYMENTS BY CREDIT CARD**

- 1) Credit cards may only be used for official Council business (in the same spirit as which purchase orders are issued.)
- 2) The Chief Executive Officer will determine which staff is to be issued with credit cards, and the monthly credit limits to apply. Credit cards will only be issued to staff that show an understanding and willingness to comply with the proper managements of the card to ensure its safety and prevent misuse.
- 3) Officers who receive a credit card must agree in writing to ensure the security of the card, that any misuse will be repaid immediately, any payment not substantiated by a tax invoice will become the personal responsibility of the card holder, and that the reconciliation of the account will occur as soon as possible after receipt of the statement of account.
- 4) Credit card statement reconciliations (detailing all purchases) must first be authorised by the card-holder and then handed to the CEO, for cross-authorisation and checking. In the case of the CEO being the card-holder, the Shire President must also sign the reconciliation.
- 5) Credit card limits will be set at a reasonable level to ensure security of the card while facilitating ease of purchasing for the card holder.
- 6) Credit card purchases do not require the preparation of a Council purchase order.
- 7) Corporate credit cards are not to be registered for frequent flyer or other rewards programs. Any benefits that accrue from the use of corporate



## **Shire of Wiluna Policy Manual**

credit cards must not be used for the personal benefit of cardholders.

- 8) The CEO will cancel cards or reduce limits if staff do not manage them in accordance with the signed use agreement and/or fail to submit timely and accurate credit card reconciliations. Further, any necessary recovery and/or legal action will be taken for any misappropriation of funds through credit cards

## Shire of Wiluna Policy Manual

**POLICY:** **LEGAL REPRESENTATION  
COUNCILLORS &  
EMPLOYEES**

**POLICY  
2.17** **NO:**

**SECTION:** **CORPORATE**

**COUNCIL MEETING HELD & ADOPTED:** **JUNE 2012**

**DATE TO BE REVIEWED:**  
**2019**

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Members of Council or employees of the Shire from time to time may require legal services in connection with any matter impacting on their conduct or the performance of their functions as members or employees.

Questions may arise from time to time as to whether, and the extent to which, the Shire should provide financial assistance to secure legal services, and this Policy is intended to facilitate decision-making on those questions.

As a general rule, financial assistance will only be provided to a member or employee for a matter which arises out of or in the course of their conduct, or the performance of their functions, as members or employees.

It is intended that financial assistance will not be provided to a member or employee who has acted unlawfully, dishonestly, improperly, or otherwise in bad faith.

Generally, financial assistance may be provided to former members or employees, or may continue to be provided for members or employees after they cease their membership or employment, where that can manifestly be seen to be justified by the interest of good government of the district.

The level of financial assistance provided is to be assessed in all cases against an evaluation of the extent to which it is justified in the interest of the good government of the district.

### **1. DEFINITIONS**

**Approved lawyer** is to be –

- (a) a ‘certified practitioner’ under the Legal Practice Act 2003;
  - (b) from a law firm on the Shire panel of legal service providers, relevant, unless the council considers that this is not appropriate –for example where there is or may be a conflict of interest or insufficient expertise; and
  - (c) approved in writing by the council or the CEO under delegated authority
- council member or employee** means a current or former commissioner, council member, non-elected member of a council committee or employee of the Shire.

## Shire of Wiluna Policy Manual

**legal proceedings** may be civil, criminal or investigative.

**legal representation** is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

- (a) a matter or matters arising from the performance of the functions of the council member or employee; and
- (b) legal proceedings involving the council member or employee that have been, or may be commenced.

## **Shire of Wiluna Policy Manual**

**legal representation costs** are the costs, including fees and disbursements, properly incurred in providing legal representation.

**legal services** include advice, representation or documentation that is provided by an approved lawyer.

**payment** by the Shire of legal representation costs may be either by

- (a) a direct payment to the approved lawyer (or the relevant firm);  
or
- (b) a reimbursement to the Council member or employee.

### **2. PAYMENT CRITERIA**

There are four major criteria for determining whether the Shire will pay the legal representation costs of a council member or employee. These are –

- (a) the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- (b) the legal representation cost must be in respect of legal proceedings that have been, or may be commenced;
- (c) in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.

### **EXAMPLES OF LEGAL REPRESENTATION COSTS THAT MAY BE APPROVED**

3.1 If the criteria in clause 2 of this policy are satisfied, the Shire may approve the payment of legal representation costs –

- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
- (b) to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions - for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- (c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.

3.2 The Shire will not approve, unless under exceptional circumstances, the

## **Shire of Wiluna Policy Manual**

payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

## **Shire of Wiluna Policy Manual**

### **4. APPLICATION FOR PAYMENT**

- 4.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing to the CEO.
- 4.2 The written application for payment of legal representation costs is to give details of –
- (i) the matter for which legal representation is sought
  - (ii) how that matter relates to the functions of the council member or employee making the application;
  - (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
  - (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document);
  - (v) an estimated cost of the legal representation;
- and
- (vi) why it is in the interests of the Shire for payment to be made.
- 4.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 4.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 4.5 The application is to be accompanied by a signed written statement by the applicant that he or she –
- (a) has read, and understands, the terms of this Policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of Clause 8 and any other conditions to which the approval is subject; and
  - (c) undertakes to repay to the Shire any legal representation costs in accordance with the provisions of Clause 8.
- 4.6 In relation to clause 4.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the Shire and the terms of the Policy.
- 4.7 An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.

### **5. LEGAL REPRESENTATION COSTS – LIMIT**

- 5.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- 5.2 A council member or employee may make a further application to the

## **Shire of Wiluna Policy Manual**

council in respect of the same matter.

## **Shire of Wiluna Policy Manual**

### **6. COUNCIL'S POWERS**

- 6.1 The council may –
  - a) refuse;
  - (b) grant; or
  - (c) grant subject to conditions, an application for payment of legal representation costs.
- 6.2 Conditions under clause 6.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 6.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire's council members or employees insurance policy or its equivalent.
- 6.4 The council may at any time revoke or vary an approval or any conditions of approval, for the payment of legal representation costs.
- 6.5 The council may, subject to clause 6.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
  - (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - (b) given false or misleading information in respect of the application.
- 6.6 A determination under clause 6.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 6.7 Where the council makes a determination under clause 6.5, the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with Clause 8.

### **7. CHIEF EXECUTIVE OFFICER AUTHORISATION**

- 7.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant the CEO may exercise, on behalf of the council, any of the powers of the council under clause 6.1 and 6.2, to a maximum of \$10,000 in respect of each application.
- 7.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 6.4.

### **8. REPAYMENT OF LEGAL REPRESENTATION COSTS**



## **Shire of Wiluna Policy Manual**

- 8.1 A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire –
- (a) all or part of those costs – in accordance with a determination by the Council under clause 6.7;

## **Shire of Wiluna Policy Manual**

- (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the legal representation costs.

8.2 The Shire may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

## Shire of Wiluna Policy Manual

POLICY:				OUT OF DISTRICT
ALLOWANCE POLICY NO:				2.18
SECTION:				CORPORATE
COUNCIL MEETING HELD & ADOPTED:				25 JANUARY
2017				RES
				.008/
				17
DATE	TO	BE	REVIEWED:	
2019				

**Intent** –Shire staff are required, from time to time, to travel to attend meetings, training, events and conferences directly related to their role as employees. The costs in relation to these expenses are to be controlled to ensure maximisation of “value for money”, efficient allocation of Shire resources and to prevent any misappropriation of funds in relation to these costs.

**Purpose** – This policy outlines the Shires’ requirements in relation to payment of expenses for attendance at conferences, training, events and meetings which are outside of the Staff’s normal place of residence.

### **Principles**

1. Expenses for conferences, training, events and meetings are those which staff attend in their capacity as Shire employees, and are in direct relation to staff duties and/or the Shire’s scope of works and services.
2. The Chief Executive Officer is required to approve or reject applications to attend conferences, training, events and meetings. Applications for attendance at conferences, training, events and meetings must clearly be benefit to /need of the Shire to attend.
3. Expenses related to the registration costs of attendance (inc. fees, material charges) are met in full by the Shire.
4. Travel costs related to the attendance will be met by the Shire as follows:
  - (a) Third-party travel such as airfares or bus fares (including travel to and from airport, taxi fares, etc.) to be paid for by the Shire, or
  - (b) Staff issued with vehicles for private use may use this (or replacement vehicle) for their transport; fuel is provided by the Shire; or
  - (c) If there are Shire vehicles available for use, staff and elected members may be able to use these; fuel provided by the Shire; or

## **Shire of Wiluna Policy Manual**

- (d) Alternative travel arrangements, approved at the discretion of the Chief Executive Officer, provided that they are cost effective.

5. Expenses relating to accommodation and meals will be met by the Shire as follows:

- (a) Accommodation and meals (excluding alcoholic drinks) to the value of \$200 per night to be paid for by the Shire, or
- (b) Staff will be paid an allowance of \$200.00 per night. Staff will then be required to arrange their own accommodation and meals for the duration of attendance; or

## **Shire of Wiluna Policy Manual**

- (c) If staff are required to attend any conference, meeting, training or other sanctioned event above the 26th parallel, then the value referred to in 5(a) and 5 (b) may be increased to \$250.00.
- 6. Proof of purchase/cost incurred must accompany all claims for reimbursement, except for the per diem allowance claimable at 5(b).
- 7. Where Staff who fail to attend in full or complete any training or participation in meetings/conferences/so forth but have been paid the clause 5(b) or 5 (c) will be required to pay back the value of the accommodation and meals and/or allowance; disciplinary action may also be taken against the staff member.
- 8. The Chief Executive Officer or relevant line manager reserves the right to not offer either option 5(a) or 5 (b) to a staff member and instead make the most cost effective and suitable decision regarding their meals and accommodation.
- 9. This policy applies to staff who are required to work away from their normal place of residence which would include the majority of Shire staff who permanently reside in Wiluna. However, in the case of a staff member who works in two separate locations, as may be the case with a Fly in Fly Out (FIFO) worker, the Shire considers their second work place to also be inside of the District and therefore this policy would not automatically apply.

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### POLICY:

### INVEST

### MENTS POLICY NO:

2.21

### SECTION:

CORPORATE

### COUNCIL MEETING HELD & ADOPTED: 148/17

11 October 2017 Resolution

### DATE TO BE REVIEWED:

2019

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### P ur p os e

This policy is to provide guidance for financial investment activities by the Shire of Wiluna, which includes the scope of authority, compliance, process and reporting.

### Obje ctiv es

To invest the Shire of Wiluna's surplus funds, with due consideration of legislative requirements and risk at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that Shire's liquidity requirements are met.

To maximise earnings from authorised investments and ensure the security of Shire funds

### Legislative Compliance

At all times investments are to comply with the minimum requirements set out in the:

- Local Government Act 1995 Section 6.14;
- Sections 17 to 20 of the Trustees Act 1962;
- Local Government Financial Management Regulations – Regulations 19, Regulation 28, and Regulation 49;
- Australian Accounting Standards.

### Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the Local Government Act 1995. The CEO may in turn delegate the day-to-day management of Shire's investment to senior staff subject to regular reviews.

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### **Prudent Person Standard**

The investment will be managed with care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio to safeguard the portfolios in accordance with the spirit of this Investment Policy, and not for speculative purposes.

### **Ethics and Conflict of Interest**

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio and requires officers to disclose any conflict of interest to the CEO.

### **Approved Investments**

Without approval from the Council, investments shall be limited to:

- State/Commonwealth Government bonds
- Interest bearing deposits
- Bank accepted/endorsed bank bills
- Bank negotiable certificate of deposits; and
- Managed funds

## Shire of Wiluna Policy Manual

### Diversification/Credit Risk

Investment shall be made with institutions that meet diversification and credit risk ratings as defined by Standard and Poor ratings. To control the credit quality of the investment funds, the following credit framework limits the percentage of the funds exposed to any particular rating category:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A1	100%	100%
AA	A1	100%	100%
A	A2	80%	80%

Should the credit rating be downgraded then investment will divested as soon as practicable.

Not less than 3 quotations or comparative interest shall be obtained from authorised institutions whenever an investment is proposed. Authorised officer to determine the best quote on the day after considering the administration and banking cost and having regard to the limitations set in this policy.

### Prohibited Investments

In accordance with 19C of the Local Government (Financial Management) Regulations 1996 when investing money, the Shire of Wiluna will not do any of the following:

- Deposit with an institution except an authorised institution. *An authorised institution means an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or the Western Australian Treasury Corporation.*
- Deposit for a fixed term of more than 3 years;
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Invest in bonds with a term to maturity of more than 3 years;
- Invest in foreign currency.

This policy also prohibits any investment carried out for speculative purposes

including: Derivative based instruments

- Principal only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind
- The use of leveraging (borrowing to invest).

### Reporting and Review

A monthly report will be provided to Council detailing the performance of all



## **Shire of Wiluna Policy Manual**

investments. Each year or as required in the event of legislative changes, a review on the appropriateness of the investment policy shall occur.

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

### **Policy**

#### **Variation**

The CEO or any Officer with delegated authority by the CEO is authorised to approve variations to this policy if the investment is to Shire's advantage and or legislative requirement.

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<b>POLICY:</b>	<b>RATING</b>
<b>ADMINISTRATION POLICY NO:</b>	<b>2.25</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 APRIL 2015 Resolution 075/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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Intent - To provide appropriate and effective management of the collection of rates and charges levied by the Shire of Wiluna, that is both a demonstration of reasonable and pragmatic approach to the Shire's financial management.

Collection of rates and charges is an important part of the Shire's management of adequate cash-flows as well as the overall management of the Shire's financial performance and position.

Purpose – This policy will clearly set out guidelines for the collection of rates, application of penalty interest for overdue rates and charges, write off of minor outstanding charges and associated procedures applicable within the Shire of Wiluna.

Prin  
ciple  
s:-

1. Rates and Charges are due and payable within 35 days from the date of issue of the annual rate (or interim rate) notice, as shown on that notice
2. Options for payment will be:
  - a) In Full by the specified due date;
  - b) By four instalments by the specified due date and within the guidelines set forth in the annual rate notice;
  - c) By an alternative payment plan, mutually accepted by the ratepayer and the Chief Executive Officer of the Shire of Wiluna.
3. The election or application to pay by either of the above three options will be clearly detailed with/on the rate notice issued and will be in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.
4. The charges for paying by four instalment or an alternative payment arrangement, including an administration fee and administration interest, will be those adopted by Council in the Annual Budget each year.
5. The methods of payment available be will indicated on the rate notice and may be varied depending on the operation requirements of the Shire

## **Shire of Wiluna Policy Manual**

and/or the logistics and cost to the Shire of those payment options.

6. A final notice will be issued for any rate account that remains outstanding after the specified due date. The due date for payment of the final notice will then be 14 days from the date of issue as shown on the final notice.

## **Shire of Wiluna Policy Manual**

7. Any rate account that remains unpaid after the specified due date of the final notice will be referred for to a debt recovery agent appointed by the Chief Executive Officer for legal recovery.
8. The debt recovery agent will issue a Letter of Demand for payment, with the due date to be as agreed between the CEO and the agent, but will be for a period no longer than 7 (seven) days from the date of issue shown on the Letter of Demand.
9. Legal recovery of outstanding rates will then proceed, on behalf of the Shire of Wiluna, in accordance with the Local Government Act 1995 (as amended) and this policy to recover all outstanding rates and charges as well as the cost of those recovery proceedings.
10. Legal recovery, as allowed under the Local Government Act 1995, may include but is not limited to: General Procedure Claim, Lodgement of Caveat on title of land or mining tenement, sale of rateable land and garnishing of money from tenants (where rateable property is leased out) to be paid directly to the Shire to satisfy the rates and charges outstanding.
11. Penalty interest on unpaid rates and charges will be levied on a daily basis, in accordance with the Local Government Act 1995 and Local Government (Financial Management) Regulations. The rate of penalty interest will be as adopted by Council in the Annual Budget each year.
12. Penalty interest accrues from the date the account is due for payment, as specified on the original rate notice, until the day the account is paid in full.
13. Penalty interest calculated to be \$5.00 or less may be written off with the Chief Executive Officers permission.
14. Any outstanding penalty interest at 30 June each year, totalling \$5.00 or less will be written-off as a small balance write-off, but only if all other rates and charges have been paid in full.

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<b>POLICY:</b>	<b>VEHICLE</b>
<b>USAGE POLICY NO:</b>	<b>2.27</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>14 December 2015 Resolution 183/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### **OBJECTIVE**

To provide clear guidelines regarding the use of Shire of Wiluna fleet vehicles.

### **DEFINITIONS**

'Business Use' of Shire vehicles is defined as the use required to give effect to all of the Council's operational needs and services.

'Commuter Use' of Shire vehicles is defined as journeys directly between an Officer's place of residence and place of work.

'Restricted Private Use' of Shire vehicles is defined as private use other than commuter use within a radius set by the Council. The private use of a Council motor vehicles does not include that vehicle being used by the employee for the purpose of conducting a commercial business.

'Full Private Use' of Shire vehicles is defined as unrestricted private use within the State of Western Australia. The private use of Council motor vehicles does not include that vehicle being used by the employee for the purpose of conducting a commercial business.

'Use Outside of Western Australia' of Shire vehicles is defined as private use outside the State of Western Australia. This use on all occasions would require permission from the Council.

### **POLICY**

1. The full private use of vehicles be available only to employees where negotiated as a condition of their contract of employment.
2. Other Officers may negotiate restricted private use or commuter use of Shire vehicles with the Chief Executive Officer.
3. All Shire owned vehicles be pool vehicles available for use by Shire employees and Councillors at all times when required for business purposes.
4. A designated driver shall be an employee of the Shire of Wiluna who:

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- and
- a) Has been assigned the vehicle as part of their contract of employment;
  - b) Holds a current Western Australian C (Car) or CA (Car Automatic) driver's licence or equivalent; and
  - c) Is responsible for the care and management of the vehicle.

## Shire of Wiluna Policy Manual

5. An authorised driver shall be:
  - a) The holder of a current Western Australian C (Car) or CA (Car Automatic) driver's licence or equivalent; and
  - b) Any employee or Councillor other than the designated driver on Shire of Wiluna business who is required to drive the vehicle as part of their duties and responsibilities; or
  - c) The designated driver's spouse or partner; or
  - d) Any other person authorised in writing by the Chief Executive Officer; or
  - e) Any other person provided a designated driver is physically present in the vehicle.
6. The designated regions for full private use shall be, unless otherwise set out in the Officer's contract of employment:
  - a) Throughout Western Australia for the Chief Executive Officer and Senior Managers; and
  - b) Adjoining Shires and to Perth and Kalgoorlie for all other Officers.
7. Full private vehicle use does not include long service leave unless prior written approval is provided by the Chief Executive Officer or as specifically written in the Officer's contract of employment.
8. Restricted private use does not include annual leave or long service leave unless prior written approval is provided by the Chief Executive Officer or as specifically written in the Officer's contract of employment
9. Any personal items left in Council vehicles are not insured under the Council's insurance policy if stolen or damaged and are therefore solely the responsibility of the owner of the personal items.

### GENERAL CONDITIONS OF USE

The following general conditions are applicable to the use of a Council motor vehicle:

10. Smoking is strictly prohibited within Shire motor vehicles at all times.
11. The motor vehicle shall be operated in a reasonable manner in accordance with all relevant acts, regulations and Council policies. The designated driver, his/her spouse/partner, or any other authorised person who drives the motor vehicle is financially responsible for any fines and/or infringements received during the operation of the motor vehicle.
12. The Shire of Wiluna will be financially responsible for the maintenance of the motor vehicle but it is the responsibility of the designated driver to ensure that the motor vehicle has a sufficient amount of fuel/lubricant, water and correct tyre pressure in between scheduled servicing. Where the motor vehicle has been equipped with a first aid kit or fire extinguisher, it is the responsibility of the designated driver to ensure that the first aid kit or fire extinguisher is adequately stocked or charged at all times or replacement stock ordered through the Shire's Technical Services section when used/expired. The authorised person shall comply with the following conditions in respect to the motor vehicle in his/her care:

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- a) Advise the Council's Technical Services section when scheduled servicing of the motor vehicle is due or repairs are required;
  - b) Wash, clean and vacuum the motor vehicle as often as required;
  - c) Drive the motor vehicle responsibly and legally, observing all road rules and traffic regulations;
  - d) Secure the motor vehicle when parked in public/private places;
  - e) Examine the motor vehicle prior to use for any damage, operation of light and indicators, tyre pressure etc; and
  - f) Report any motor vehicle accident immediately (or as soon as practicable) to the Chief Executive Officer or Manager Technical Services.
13. A Council motor vehicle used for any of the purposes outlined in this Policy shall be properly housed and secured at the place of residence of the designated driver where appropriate.
14. Any designated driver or authorised driver shall immediately advise the Chief Executive Officer if his/her driver's licence is suspended or cancelled.
15. Any designated driver or authorised driver shall immediately surrender the motor vehicle to the Shire upon:
- a) Cancellation or suspension of his/her driver's licence;
  - b) Failure to operate or maintain the vehicle to an acceptable standard;
  - c) Unable to operate the vehicle in a safe manner, including changing a tyre in remote locations;
  - d) Leaving the employment of the Shire of Wiluna; or
  - e) No longer being an elected member of the Council.
16. Designated drivers excluding works crew members are to undertake a monthly 'General Vehicle Safety Checklist' and 'Remote Travel Vehicle Checklist' as required.

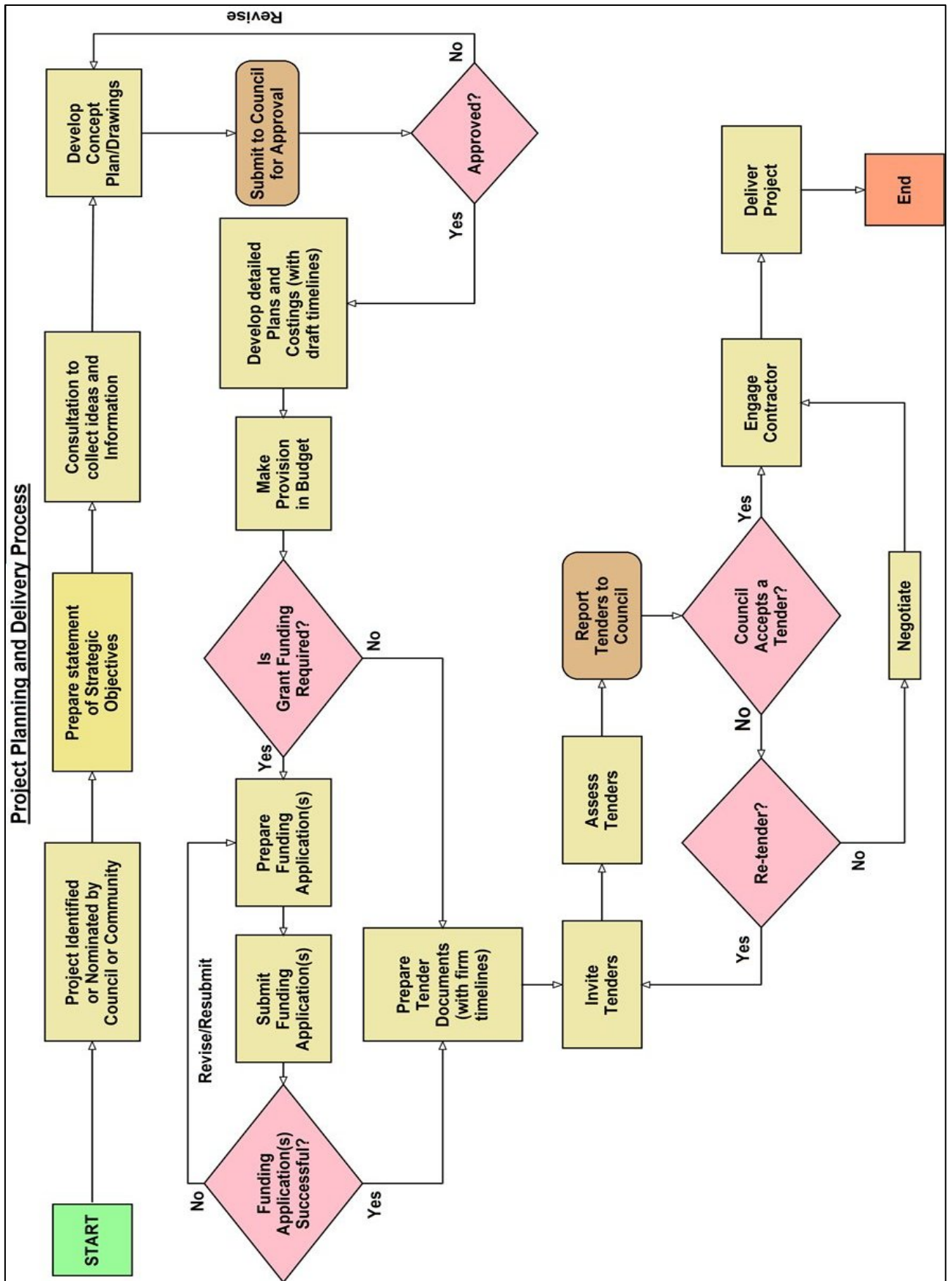
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<b>POLICY:</b>	<b>PROJECT PLANNING AND</b>
<b>DELIVERY POLICY NO:</b>	<b>2.28</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>26 April 2017 Resolution 065/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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1. All projects are to be planned and delivered in accordance with the process depicted in the diagram below.
2. Where considered appropriate, additional steps may be added to this process to allow for additional consultation and/or approvals; however, the process depicted in the diagram is the minimum and must not be truncated.
3. For every project, a process diagram and timelines should form part of the budget submission.
4. Process diagrams and timelines should also be included in funding applications, so that the funding agencies can see how and when it is intended to deliver the projects.
5. Purchasing and procurement in relation to projects must comply with the *Local Government Act 1995*, the *Local Government (Functions and General) Regulations 1996*, *Shire of Wiluna Policy no. 2.6 – Purchase of Goods and Services*, and the *Shire of Wiluna Procurement Procedures Manual*.

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<b>POLICY:</b>	<b>RELATED PARTY DISCLOSURES</b>
<b>POLICY NO:</b>	<b>2.29</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>28 June 2017 Resolution 113/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### PROCEDURE FOR RELATED PARTY DISCLOSURES

The scope of AASB 124 Related Party Disclosures was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for the year ended 30 June 2017. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

### BACKGROUND

The objective of the standard is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire of Wiluna must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

#### 1. Identification of Related Parties

AASB 124 provides that the Shire of Wiluna will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties include a person who has significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Shire of Wiluna has identified the following persons as meeting the definition of Related Party:

## **Shire of Wiluna Policy Manual**

- An elected Council member
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer, Deputy Chief Executive Officer, or Executive Manager.
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.

## Shire of Wiluna Policy Manual

- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Shire of Wiluna will, therefore, be required to assess all transactions made with these persons or entities.

### 2. Identification of related party transactions

A related party transaction is a transfer of resources, services or obligations between the Shire of Wiluna (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting these criteria:

- Paying rates
- Fines
- Use of Shire of Wiluna owned facilities such as Recreation Centre, Swimming Pool, library, roads, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending Shire functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire of Wiluna for licences, approvals or permits
- Lease agreements for housing rental (whether for a Shire of Wiluna owned property or property sub-leased by the Shire of Wiluna through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire of Wiluna and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Wiluna (trading arrangement)
- Sale or purchase of any property owned by the Shire of Wiluna, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire of Wiluna
- Loan arrangements
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with the Shire and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire of Wiluna can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

### 3. Disclosure Requirements

## **Shire of Wiluna Policy Manual**

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above will be required to complete a Related Party Disclosures - Declaration form for submission to the Shire's accounting section.



## **Shire of Wiluna Policy Manual**

### **Ordinary Citizen Transactions (OCTs)**

Management will put forward a draft resolution to Council annually, declaring that in its opinion, based on the facts and circumstances, the following OCTs that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly Related Party Disclosures - Declaration form will be required.

- Paying rates
- Fines
- Use of Shire of Wiluna owned facilities such as Recreation Centre, Swimming Pool, library, roads, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending Shire functions that are open to the public

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

### **All other transactions**

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form.

### **Frequency of Disclosures**

Elected Council members and KMP will be required to complete a Related Party Disclosures - Declaration form annually.

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

Disclosures must be made immediately prior to the termination of employment of/by a KMP.

### **Confidentiality**

All information contained in a disclosure return will be treated in confidence. Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified.

Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality.

Individuals may be specifically identified if the disclosure requirements of AASB 124 so demands.

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### 4. Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

### **Associated Regulatory Framework**

*AASB 124 Related Party Disclosures*

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>STAFF SPECIAL REMUNERATION ALLOWANCES</b>
<b>POLICY NO:</b>	<b>2.30</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22/03/2017 RES. 041/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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1. Council approves the CEO to be able to offer the following allowances to Shire staff:
  - a) Annual Airfare Allowance (2 x Return Airfares to Perth) of up to \$1,300 per year to full time employees;
  - b) Free use of the Shire's minor plant & equipment (e.g. hand mower and whipper snipper) for the purpose of garden maintenance of Shire's owned/controlled residential houses;
  - c) Free Shire Gym membership;
  - d) District/Location Allowance (up to \$76.80 per fortnight with dependents or up to \$38.40 per fortnight without dependents);
2. Delete the following allowance at staff next annual performance review:
  - a) Attendance Bonus (\$100 per fortnight);
  - b) Six monthly Attendance Bonus (\$500); and
  - c) FIFO Flights

The above 2(a) and 2(b) allowances are to be added to the applicable staff's (outside crew) annual salary and wages, to compensate them for the loss of these allowances.

## Shire of Wiluna Policy Manual

<b>POLICY</b>	<b>FIREARMS POLICY</b>
<b>POLICY NO:</b>	<b>2.31</b>
<b>SECTION:</b>	<b>CORPORATE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>11/10/2017 RES: 139/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### OBJECTIVE

The purpose of this policy is to outline the guidelines for use of the Shire of Wiluna's Firearms in accordance with the W.A Corporate Firearms Licence Conditions.

### TERMS OF REFERENCE

Unless otherwise stated all references to 'The Act' shall refer to the Firearms Act 1973

### POLICY STATEMENT

Shire Firearms will not be used or accessed by an employee unless:

- (a) The employee has been authorised on the Corporate Firearms License to use firearms by the C.E.O., for carrying out the relevant duties of which the employee is authorised to use the Shire firearms.
- (b) The employee has read and understands the Corporate Firearms Licence and Conditions issued to the Shire of Wiluna by the WA Police Firearms Branch and Shire's Firearms Policy.
- (c) The employee can demonstrate they are competent and experienced in the safe use and handling of the firearms or has attended an Accredited Firearms Handling and Safety course.
- (d) The employee understands the conditions under the relevant Acts that allow for the use of firearms in the course of carrying out the authorised employee's duties (i.e. relevant section of Dog Act 1976 etc.)
- (e) The employee has completed, submitted and received approval of a *'Nominated Persons Application'-To possess, Carry or Use a Corporately Licensed firearm in the course of employment* form to the W.A Police State Crime Licensing Enforcement Division.

Use of Shire firearms must be in accordance with the following conditions:

- (a) Access to gun cabinets and gun cabinet keys will only be permitted to those employees that are listed on the corporate firearms licence (carried by authorised employee or contained within suitably secured cabinet).
- (b) National Police Clearance Certificates provided for each person on licence.
- (c) When firearms are transported they must be fitted with trigger locks (where supplied), contain no ammunition and be secured in lockable

## **Shire of Wiluna Policy Manual**

firearms rack if fitted to the vehicle.

(d) When the discharge of firearms is necessary within town limits, Police must be notified, when possible, prior to discharge of firearm or immediately after the discharge of firearm if possible.

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- (e) The Shire will implement a rigid protocol for access to firearms which will be strictly adhered to by all authorised persons. The CEO shall determine the protocol that best demonstrates compliance in accordance with the Firearms Act 1973 and the Dangerous Goods Safety Act 2004

An audit of firearms held by the Shire of Wiluna may be undertaken by the Chief Executive Officer.

*The Chief Executive Officer may direct a person who is involved in the control or management of a dangerous goods site to engage and pay for an approved auditor to conduct an audit into and report to the Chief Executive Officer about all or any of the following —*

- (a) *the risk to people, property or the environment from dangerous goods on the site;*
- (b) *the safety of the whole or a part of the site, or of any building, structure, plant, equipment or thing on the site, or of any activities on the site;*
- (c) *the adequacy and effectiveness of any safety management document relating to the site;*
- (d) *a dangerous goods incident or a dangerous situation on the site.*

*Dangerous Goods Safety Act 2004; Division 4, 46-2*

### **CORPORATE FIREARMS LICENCE CONDITIONS**

The following conditions are placed on the Shire of Wiluna Corporate Firearms Licence.

1. The licence entitles the Shire of Wiluna "to possess the firearms named and identified in that licence, together with ammunition, and therefore authorises the organisation to permit any of the Shires employees to possess, carry and use any such licensed firearm or ammunition:

- (i) In the course of his or her employment generally as in that licence specified" in accordance with section 16(c) of the Act.

*a Corporate Licence, which may be issued in the corporate or trading name of any bank, financial institution, Government department, State instrumentality or other organisation approved by the Commissioner and entitles that organisation to possess the firearms named and identified in that licence, together with ammunition therefor, and authorises that organisation to permit any person to whom subsection (2) applies to possess, carry and use any such firearm or ammunition either*

- (i) on the premises of the organisation; or*
- (ii) in the course of carrying out a function approved by the Commissioner and authorised by that organisation, in accordance with the terms, restrictions limitations and condition applicable to that licence 16(c) Firearms Act 1973*

- 1.1 The purpose to be specified on the licence and the conditions under which it is issued are:

- (a) For use by authorised employees of the Shire of Wiluna in the course of their duties in the destruction of sick, strayed or unwanted dogs or other animals.

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- (b) For Training purposes, so as the Shire of Wiluna Nominated person(s) shall maintain skills required so as the necessary destruction of sick, strayed or unwanted dogs or other animals is conducted as humanely as possible.
- (c) When carried in the Shire's vehicles the firearms are to be kept secured at all times.
- (d) When not being used in the course of employment generally, the firearms are to be kept in strict security on the premises of the organisation.



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- (e) The licensee will forthwith supply to the Police Firearms Branch a list containing the name, address and date of birth of all persons using the firearms and advise same of any future changes.
- (f) This licence, under the provisions of section 8(f) of the Act, precludes the necessity for the Shire of Wiluna employees to hold a licence for the Shire's firearms used for that purpose.

*No licence under this Act is required by a person who is the holder of a permit issued under this Act in relation to any matter authorised by that permit having a firearm or ammunition in his possession in preparation for, as a consequence of, or for use in, the performance of his duties;*  
*8(f) Firearms Act 1973*

- (g) Section 31(2) of the Act requires "*the holder of a Corporate Firearms Licence to compile, maintain and furnish records in such a manner as is prescribed, all entries therein to be made at the time of the transaction to which they relate and any such record to be produced for inspection by any member of the Police Force on his request*".

Regulation 18(a) provides as follows:

*"the holder of a Corporate Licence shall, in a permanent and legible manner, maintain a record in a form approved by the Commissioner showing particulars of the firearms and ammunition in the possession of each employee at any time, the name and place of residence of the employees in such possession, and, where the firearm is carried elsewhere than on the premises of the organisation, the purposes and places where the employee is authorised by the organisation to carry the firearm*

It will be sufficient compliance with the regulations for the Shire of Wiluna to keep the required particulars in a book drawn up and set aside for that purpose.

Under section 21(2) of the Act, "*a person, whether or not the holder of that licence, permit or approval, who commits a breach of, or fails to observe, a restriction, limitation or condition to which a licence, permit or approval issued or granted under this Act was made subject, and who is a person who ought reasonably to have known of the existence of that restriction, limitation or condition, commits an offence*"

Additional firearms required may be added to the Corporate Firearms Licence upon application to a Police Station and, where necessary, referred to Firearms Branch for consideration of approval. The Shire of Wiluna is to advise this branch in writing of the disposal of any of the firearms so that the schedule of firearms can be updated.

### **FIREARM STORAGE AND SECURITY REQUIREMENTS**

Firearms Regulations -

#### **Storage security requirements**

- (1) A person entitled to possess firearms or ammunition of any kind is to ensure that the firearms or ammunition are stored in accordance with firearms regulations.
- (2) Firearms and ammunition are to be stored in a locked cabinet or container

## **Shire of Wiluna Policy Manual**

that at least meets the specifications described in Schedule 4 of the Firearms Act 1973 or in such other way as is approved.

## **Shire of Wiluna Policy Manual**

- (3) A cabinet or container that can be unlocked with a key is to be regarded as unlocked if the key is left in the lock or is otherwise accessible where the cabinet or container is located.
- (4) A magazine is not to contain any ammunition when it is stored.
- (5) Ammunition is not to be stored in a cabinet or container in which a firearm is stored unless the ammunition is in another locked metal container in which no firearm is stored and which is securely affixed so as to prevent its removal from the cabinet or container.
- (6) Under no circumstances should propellant that is not incorporated in a cartridge is not to be stored, whether or not it is in another container, in a container or cabinet that contains any ammunition, firearm, or primer.
- (7) Under no circumstances should any firearm be transported when it is loaded with ammunition.
- (8) Ammunition should be transported in its box and be secured. Ammunition must not be transported in a magazine that can be fitted in a firearm.
- (9) Vehicles should not be considered a secure option for storage of firearms. Under no circumstances should any vehicle carrying firearms be left unattended.
- (10) The requirements of this regulation are in addition to, not instead of, any requirements under the Dangerous Goods Safety Act 2004

### **OTHER REQUIREMENTS**

Firearms, if mishandled, can result in serious injury or death. Under no circumstances should any unauthorised person(s) handle firearms or ammunition. Any conduct, deemed inappropriate by the CEO with regard to firearms or ammunition will result in serious disciplinary action, including termination of employment.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>RISK MANAGEMENT POLICY</b>
<b>POLICY NO:</b>	<b>2.32</b>
<b>SECTION:</b>	<b>ADMINISTRATION/FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>19/12/2018 RES. 144/18</b>
<b>DATE TO BE REVIEWED:</b>	<b>2020</b>

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### **OBJECTIVE**

To encourage an integrated, effective and organisation wide approach to risk management within the Shire of Wiluna, facilitating value creation and protection.

### **POLICY STATEMENT**

Council is committed to the use of risk management in the course of achieving its strategic objectives and delivery of services to the community. Management of risk is considered the responsibility of all elected members, employees and contractors, and is to be integrated throughout the Shire.

A *Risk Management Strategy* is to be maintained and implemented utilising the Principles, Framework and Process as defined within *AS/NZS ISO 31000:2018 Risk management - Guidelines*.

### **RISK TOLERANCE AND APPETITE:**

Risk tolerance or risk appetite refers to the amount and type of risk that the Shire is willing to take in order to meet its strategic objectives. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect the Shire, and its stakeholders.

Council's risk tolerance and appetite is articulated with the *Risk Management Strategy* and any change to the level of risk tolerance and appetite within the Strategy can only be made with Council approval.

### **RISK MANAGEMENT COMMITMENT:**

Council will maintain a continual commitment to risk management through the appropriate allocation of resources to facilitate application of the principles, framework and process as defined within *AS/NZS ISO 31000:2018*, through the '*Risk Management Strategy*'. The *Risk Management Strategy* will assist the organisation to integrate risk management into decision making and operational activities, across the organisation. This commitment will work towards:

- Aligning the objectives, culture and strategy of the Shire with risk management;
- Addressing and recognising all obligations (including voluntary commitments) of the Shire;
- Communicating the risk appetite of the Shire to guide the establishment of risk criteria, to all employees, contractors and elected members and stakeholders;

## **Shire of Wiluna Policy Manual**

- Promoting and conveying the value of risk management across the Shire;
- Encouraging methodical monitoring of risks;
- Ensuring that the *Risk Management Strategy* remains relevant to and considers the context of the organisation.

**This policy is to remain in force until otherwise determined by Council.**

## Shire of Wiluna Policy Manual

### Consequences

	Extreme	Major	Moderate	Minor	Insignificant
<b>Visitors</b>	Death; Hospitalisation of 3 or more visitors. Death resulting from exposure/isolation	Permanent injury; Hospitalisation of 1 or 2 visitors; Medical expenses or injury / illness for 3 or more visitors	Medical expenses; or injury / illness for 1 or 2 visitors	Evaluation and treatment with no medical expenses	No treatment required or declined treatment
<b>Complaints</b>	Multiple Complaints made simultaneously to multiple agencies and threatening media attention and litigation	Complaint made simultaneously to multiple agencies	Complaint made direct to the Board or Executive; or Complainants threatening media attention or litigation	Complaint made concerning multiple issues or about multiple areas of the organisation	Direct contact from the complainant to the area concern or the Complaints department
<b>Environmental</b>	Toxic release off-site with detrimental effect; or Fire requiring evacuation	Off-site release with no detrimental effects; or fire that grows larger than an incipient stage	Off-site release contained with outside assistance; or Fire at incipient stage or less	Off-site release contained without outside assistance	Nuisance releases
<b>Financial</b>	Critical financial loss over \$1,000,000	Major financial loss \$100,000 - \$1,000,000	Moderate financial loss \$10,000 - \$100,000	Minor financial loss less than \$10,000	No financial loss
<b>Legal</b>	Compensation sought for more than \$1,000,000	Compensation sought for less than \$1,000,000	Compensation sought for less than \$100,000	Compensation sought for less than \$20,000	Compensation sought for less than \$5,000
<b>Media</b>	Published in early general news, aired on radio, aired on television news or current affairs for more than three days	Published in early general news, aired on radio, aired on television news or current affairs for up to three days	Published or aired in more than one news medium for one day.	Brief coverage in either print or electronic media for one day. Media enquiries without actual publication or airing of story.	Threatened media attention.
<b>Reputation</b>	Irreparable damage to corporate reputation	Sustained, but repairable, damage to corporate reputation; Irreparable damage to personal reputation of Senior Staff	Short term damage to corporate reputation; Sustained damage to personal reputation of Staff	Threatened or perceived damage to reputation	No actual damage to reputation
<b>Security</b>	Personal Abduction/death  Property Damage/Loss over XXXXXX	Physical assault/violence – injury sustained Property Damage/Loss over XXXXXX	Physical assault/violence – no injury Property Damage/Loss over \$10,000	Verbal aggression or abuse in person  Property Damage/Loss under \$10,000	Verbal aggression or abuse over the phone Property Damage/Loss under \$1,000
<b>Services</b>	Complete loss of management function	Major loss of management function including cancellation of events or bookings	Disruption to users due to management problems	Reduced efficiency; or Disruption to management function	No loss of management function
<b>Staff</b>	Death; or Hospitalisation of 3 or more staff/volunteers	Permanent injury; or Hospitalisation of 1 or 2 staff/volunteers; or Medical expenses, lost time or restricted duties or injury / illness for 3 or more staff/volunteers	Medical expenses; or Lost time or restricted duties or injury / illness for 1 or 2 staff/volunteers	First aid treatment only with no medical expenses, lost time or restricted duties	No injury or review required

# Shire of Wiluna Policy Manual

## Likelihood

	AKA	Definition	Timeframe
<b>Frequent</b>	Almost Certain	is expected to recur either immediately or in a short period of time	once per month
<b>Probably</b>	Likely	will probably occur in most circumstances	once per quarter
<b>Occasional</b>	Possible	probably will recur or could occur at some time	once per year
<b>Uncommon</b>	Unlikely	possibly will recur or could occur at some time	once every 5 years
<b>Remote</b>	Rare	unlikely to recur or may occur only in exceptional circumstances	less common than once every 5 years

## Risk Rating Matrix

		Consequences				
		Extreme	Major	Moderate	Minor	Insignificant
Likelihood	Frequent	Extreme	Extreme	High	Moderate	Moderate
	Probably	Extreme	Extreme	High	Moderate	Moderate
	Occasional	Extreme	High	High	Moderate	Low
	Uncommon	Extreme	High	Moderate	Low	Low
	Remote	High	Moderate	Moderate	Low	Low

Modified from AS 4360:2004

## Shire of Wiluna Policy Manual

### Action Plan

	Extreme	High	Moderate	Low
Priority	Immediate Action	Senior Management attention is needed	Management Responsibilities needs to be specified	Is manageable by routine procedures at a local level
Time frame to Commence Action	within 1 week	within 1 month	within 3 months	within 6 months
Ongoing Management Responsibility	ORS	BSA	Management Team	Volunteers



## **Shire of Wiluna Policy Manual**

**POLICY****CROSSOVERS****POLICY NO:****3.1****SECTION:****TECHNICAL****COUNCIL MEETING HELD & ADOPTED:****11/10/2017 RES: 143/17****DATE TO BE REVIEWED:****2019**

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It is Council policy to meet 50% of the total cost of providing the first standard crossover (sealed access way with culvert where required) to each town site property. Any additional crossover or crossover exceeding the specifications of Shire's standard crossover, are to be at the landowner's expense.

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>USE OF CHEMICALS FOR SHIRE WORKS</b>
<b>POLICY NO:</b>	<b>3.3</b>
<b>SECTION:</b>	<b>TECHNICAL</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 February 2015 Resolution 033/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### **Purpose**

To provide guidance in the use of chemicals on Shire vested land when undertaking works.

### **Objectives**

To restrict the use of chemicals to specified areas within the Shire of Wiluna to protect native vegetation and wildlife.

### **Policy**

The use of chemicals for weed and pest plant control on Shire vested reserves, including road reserves is prohibited in all areas of the Shire of Wiluna except the Wiluna townsite, as defined by the State Land Act.

This Policy does not apply to noxious weeds and declared plants.

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<b>POLICY:</b>	<b>ROAD HEIRARCHY</b>
<b>POLICY NO:</b>	<b>3.4</b>
<b>SECTION:</b>	<b>TECHNICAL</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>25 MARCH 2015 Resolution 052/15</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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That as a matter of policy: the roads hierarchy adopted by Council 25.02.2014 will:

- 1 Form the basis for which road maintenance, including maintenance grading, will be considered for annual budgeting and work planning purposes (including any works contracted out by the Shire).
- 2 Form the basis for which capital road work projects will be considered for annual budgeting and work planning purposes.
- 3 Not prohibit or prevent the Shire carrying out necessary road works (operational or capital) required to ensure asset preservation and public safety irrespective of the respective road's ranking and service levels in this hierarchy.
- 4 Not necessarily be the final hierarchy (including service levels) for which road works are budgeted and undertaken as road works can be influenced by matters including: available funding (including grants), conditions of grant funding, unforeseen circumstances that adversely affect the road network, contractual arrangements or variations and other circumstances as adopted by Council from time to time.
- 5 The roads hierarchy and this policy are to be reviewed at least once each year (from adoption) but nothing prohibits it from being reviewed more frequently should operational matters dictate so or at the request of Council.

This policy is to be read on conjunction with the adopted hierarchy as follows:

# Shire of Wiluna Policy Manual

By Gre

Wiluna Road List															By Grd	
ROMAN Inventory : CURRENT (dated .....)																
LGA	Road	Name	Length	Start Terminus	End Terminus	Grid Ref	Class	MRWA ROAD CLASSIFICATION	MRWA ROAD TYPE	Shire Level of Service	Shire Amended Levels of Service	total kms annual grading	Comments	ROAD CLASSIFICATION		
706	1	WILUNA NORTH RD - sk 0 -40 Kukububba	40	WOTTON ST	SHIRE BOUNDARY	T01-G07	A	Regional Distributor	3	3	4					
706	1	WILUNA NORTH RD	47.15	Kukububba	SHIRE BOUNDARY	T01-G07	A	Regional Distributor	3	3	3	243.45		RD	Regional Distributor	
706	13	YEELIRRIE RD	48.67	M18 KALGOORLIE-MEEKATHARRA	Shire Boundary	S01-E11	C	Regional Distributor	3	3	3	349.61		LD	Local Distributor	
706	13	YEELIRRIE RD	9.67	M18 KALGOORLIE-MEEKATHARRA - Southern End	Shire Boundary	S01-E11	C	Regional Distributor	3	3	0.5					
706	3	WONGAWOL RD	103.04	Granite Peak	CARNEGIE RD NO.9	S01-E10	A	Regional Distributor	3	3	3	489.12		AS	Access - Station traffic	
706	3	WONGAWOL RD	50	WELLS ST	Granite Peak	S01-E10	A	Regional Distributor	3	3	3					
706	9	CARNEGIE RD	125.88	WONGAWOL RD NO.3	GUNBARREL HWY NO.27	S02-C09	A	Regional Distributor	3	3	3			AT	Access - Tourism	
706	68	NO. 10 WELL RD	9.67	WILUNA RD NORTH NO. 1	NO. 10 WELL	T01-A01	B	Access - Tourism	3	3	1	377.64		AL	Access - local or cultural significance	
706	79	NORTH POOL RD	9.7	WILUNA NORTH RD	NORTH POOL	S01-A01	B	Access - Tourism	3	2	2	15.40		AO	Other - min use	
706	27	GUNBARREL HWY	203.5	CARNEGIE RD NO.9	SHIRE BDY (MGAANYATJARRAKU)	S02-E06	B	Access - Tourism	2	1.5	3	205.25				
706	4	GRANITE PEAK-LAKE VIOLET RD	152.5	WONGAWOL RD NO.3	GRANITE PEAK ACCESS RD NO.60	S01-F10	C	Access - Station traffic	3	2	2	205.00				
MRWA TYPE - UNSEALED ROADS																
706	10	YANDIL RD	32.10	M18 KALGOORLIE-MEEKATHARRA	SHIRE BOUNDARY	S01-E10	C	Access - Station traffic	3	1	3	32.10		Type 2	Formed	
706	11	LAKE WAY RD	11.8	M18 KALGOORLIE-MEEKATHARRA	LAKE WAY STATION HOMESTEAD	S01-F11	C	Access - Station traffic	2	1	1	13.80		Type 3	Gravel	
706	12	BARWIDGE RD	43.06	WONGAWOL RD NO.3	BARWIDGE-YANDAL RD NO.54	S01-G10	C	Access - Station traffic	3	2	2	87.95				
706	2	SANDSTONE-WILUNA RD	67.73	M18 KALGOORLIE-MEEKATHARRA	SHIRE BRY	S01-E10	C	Access - Station traffic	2	2	3	395.46				
706	14	JUNDEE RD	42.15	WONGAWOL RD NO.03	JUNDEE MINE	S01-F10	C	Access Mine traffic	3	0	0	0.00	Maintained by mine			
706	15	MOUNT FISHER-WONGANOO RD	70.55	WONGAWOL RD NO.3	WONGANOO RD NO.16	S01-H10	C	Access - Station traffic	3	3	3	70.55				
706	16	WONGANOO RD	61.62	BARWIDGE-YANDAL RD NO.54	SHIRE BOUNDARY	S01-G11	C	Access - Station traffic	3	1	3	63.62				
706	18	CARNEGIE-GLENAYLE RD	88.09	SYDNEY HEADS RD NO.32	CARNEGIE RD NO.9	S02-C06	C	Access - Station traffic	3	1	2	88.09				
706	19	WINDIDDA RD	30.18	WONGAWOL RD NO.3	WINDIDDA HOMESTEAD	S02-A09	C	Access - Station traffic	2	2	2	60.36				
706	32	SYDNEY HEADS RD	69.26	CARNEGIE-GLENAYLE RD NO.16	GRANITE PEAK ACCESS RD NO.60	S02-S06	C	Access - Station traffic	3	2	2	178.52				
706	48	PRENTI DOWNS RD	66.91	WINDIDDA RD NO.19	PRENTI DOWNS HOMESTEAD	S02-S09	C	Access - Station traffic	2	3	2	66.91				
706	51	YEELIRRIE-MEEKATHARRA RD	88.99	YEELIRRIE RD NO.13	SHIRE BOUNDARY	S01-E12	C	Access - Station traffic	3	3	3	88.99				
706	54	BARWIDGE-YANDAL RD	34	BARWIDGE RD NO.12	SHIRE BOUNDARY	S01-G11	C	Access - Station traffic	2	2	2	68.96				
706	59	PRENTI DOWNS-WARREN BORE RD	17.5	PRENTI DOWNS HOMESTEAD	SHIRE BOUNDARY	S02-D10	C	Access - Station traffic	2	3	2	37.50				
706	60	GRANITE PEAK ACCESS RD	11	GRANITE PEAK HOMESTEAD	SYDNEY HEADS RD NO.32	S01-A07	C	Access - Station traffic	2	3	1	31.09				
706	71	GRANITE PEAK BYPASS RD	15.72	GRANITE PEAK-LAKE VIOLET RD 4	SYDNEY HEADS RD NO. 32	T01-A01	C	Access - Station traffic	3	2	2	31.44				
706	76	LAKE VIOLET ACCESS RD	2.59	GRANITE PE -LAKE VIOLET RD WST	GRANITE PE -LAKE VIOLET RD EST	S01-A01	C	Access - Station traffic	2	3	3	2.59		35	T1, re-seal after 15 years	
706	78	GLEN-AYLE ACCESS	1.55	SYDNEY HEADS RD (WST)	SYDNEY HEADS RD (EST)	S01-A01	C	Access - Station traffic	2	3	3	1.55		20	T2, re-seal after 20 years	
LEVEL OF SERVICE																
4 At least 4 times a year																
3 At least 3 times a year																
2 At least 2 times a year																
1 At least 1 time a year																
MRWA TYPE - SEALED ROADS																
Type 4 narrow seal																
Type 5 7m seal																
Type 6 more than 7m seal																
5 \$ per km																
5 \$ 200.00																
Type 1 Unformed																
706	5	ALBION DOWNS RD	26.38	M18 KALGOORLIE-MEEKATHARRA	SHIRE BDRY (ALS DOWNS-YEEL RD)	S01-F11	C	not maintained	0	0	0	0.00				
706	63	DAVID CARNEGIE RD	180	S027 GUNBARRELL HIGHWAY	DEAD END	S02-407	AO	not maintained	1							
706	63	EAGLE HIGHWAY	100				AO	not maintained	1							
706	7	VILLAGE RD	5.18	WONGAWOL RD NO.3	WILUNA NATIVE MISSION	S01-E10	AO	not maintained	not maintained							
706	8	RESEARCH STATION RD	8.7	WONGAWOL RD NO.3	RESEARCH STATION	S01-E10	AO	not maintained	not maintained							
706	17	LORNA GLEN RD	35.16	GRANITE PEAK-LAKE VIOLET NO.4	LORNA GLEN HOMESTEAD	S01-009	AO	not maintained	not maintained							
706	21	ROAD NO 21	34.95	GIOGEE MINE ROAD	SHIRE BOUNDARY		AO	not maintained	1							
706	65	CALEDONIA ST					AO	not maintained	not maintained							
706	67	LAWRENCE ST	0.67				AO	not maintained	not maintained							
706	69	GOLDFIELDS HWY					AO	not maintained	not maintained							
706	70	BRIDAL FACE RD	62.5	WILUNA NORTH RD NO. 1	END OF RN NO. 22	T01-A01	AO	not maintained	1							
706	73	SHIRE HOUSING ACCESS ROAD					AO	not maintained	1							
706	74	CEMETERY ACCESS ROAD					AO	not maintained	1							
706	75	RACECOURSE ROAD					AO	not maintained	1							
706	77	PIONEER CEMETERY ACCESS	0.45	GOLDFIELDS HWY	PIONEER CEMETERY	S01-A01	AO	not maintained	1							
706	66	CARNEGIE-PRENTI DOWNS RD	154.96	CARNEGIE RD NO. 9	PRENTI DOWNS RD NO. 48	T01-A01	AO	not maintained	not maintained							
706	80	EMU FARM ROAD	1.06	JUNDEE ROAD	EMU FARM GATE		AO	not maintained	1							
706		Pack Saddle Access Rd	3	Wongawol Rd	Grape Banki Langer											
706	33	WOTTON ST					T1	Local Distributor	6							
706	35	THOMPSON ST					T1	Local Distributor	6							
706	36	WELLS ST					T1	Local Distributor	6							
706	64	AERODROME ROAD					T2	Local Access Road	6							
706	45	KIRKPATRICK ST					T2	Local Access Road	3		1					
706	62	RUBBISH TIP ACCESS ROAD					T2	Local Access Road	3		4					
706	34	LENNON ST					T2	Local Access Road	6							
706	37	WALL ST					T2	Local Access Road	6							
706	38	SCOTIA ST					T2	Local Distributor	6							
706	39	TRENTON ST					T2	Local Access Road	6							
706	40	WOODLEY ST					T2	Local Access Road	6							
706	41	DERWENT ST					T2	Local Access Road	6							
706	42	CASTLE ST					T2	Local Access Road	6							
706	43	JONES ST					T2	Local Access Road	6							
706	45	BERNALES ST					T2	Local Access Road	6							
706	47	GRACE ST					T2	Local Access Road	6							

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>OSH 001 - OCCUPATIONAL HEALTH AND SAFETY STATEMENT</b>
<b>POLICY NO:</b>	<b>5.1 / OSH001</b>
<b>SECTION:</b>	<b>OCCUPATIONAL SAFETY &amp; HEALTH</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 FEBRUARY 2017 RES 023/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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### 1. Introduction

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#### 1.1 Definitions

Employees      All staff, contractors, consultants and temporary workers of Shire of Wiluna.

#### 1.2 General Statement of Policy

It is the policy of the Shire of Wiluna to conduct its activities in such a way that the health, safety and well-being of employees, contractors and visitors are not in any way impaired or prejudiced as a result of working within or for the organisation.

#### 1.3 Purpose

The purpose of this policy is to ensure, as far as is reasonably practicable, that all employees are safe from injury and risk to health while at work. The Shire of Wiluna will seek to achieve this by:

- Identifying and reducing the risks of all types of work activities that have the potential to produce personal injury or occupational illness.
- Complying with all applicable occupational health and safety legislation.
- Providing instruction, training and supervision to improve an employee's understanding of workplace hazards; including safe work practices and emergency procedures.
- Involving employees in occupational health and safety matters and consulting with them on ways to recognise, evaluate and control workplace hazards.
- Ensuring that everyone (including visitors and contractors) complies with appropriate standards and workplace directions to protect their own and others safety and health at work.
- Providing adequate systems and resources to effectively manage identified significant occupational safety and health hazards as well as rehabilitation and return to work processes.

## **Shire of Wiluna Policy Manual**

- Implementing, maintaining and reviewing the occupational health and safety programme to achieve continuous improvement as well as conducting regular inspections of the workplace aimed at preventing accidents and incidents.

### **1.4 Scope**

This Policy applies to all employees, contractors, consultants, temporary workers and visitors of The Shire of Wiluna to ensure that this Occupational Safety & Health Policy is enforced.

### **1.5 Enquiries and Faults**

Adherence to this procedure will generally ensure compliance with the requirements of relevant legislation. Employees requiring assistance with the interpretation of this procedure, or who wish to report a breach of this procedure, should contact the Chief Executive Officer.

## **2. Policy**

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### **2.1 Policy Details**

- i. This Health and Safety Policy details the Shire of Wiluna's commitment, intentions and principles in relation to OSH performance.
- ii. The key objectives of the OSH Policy are to achieve legal compliance and reduce illness and injury within our workplace.
- iii. The policy is reviewed annually to ensure that it remains compliant and meets occupational health and safety objectives.

### **2.2 Compliance**

- i. Federal, state and territory OSH Acts and Regulations set out specific safety requirements that the Shire of Wiluna shall enforce in order to meet their legal responsibility of providing a safe working environment.
- ii. Access to current health and safety legislation, codes of practice and Australian Standards will be disseminated to all staff and contractors. OSH information is also maintained in hardcopy and kept current.

### **2.3 Roles and Responsibilities**

#### **Managers and Supervisors are responsible for:**

- The safety of employees, contractor and the Shire of Wiluna property under their control
- Ensuring that all regulations, procedures and safe work practices are followed at all times

## **Shire of Wiluna Policy Manual**

### **All employees are expected to:**

- Follow all Shire of Wiluna occupational health and safety requirements and codes of practice.
- Maintain a clean and orderly work area.
- Report all injuries and safety incidents.
- Actively participate in occupational health and safety activities.

### **2.4 Communication and Consultation**

- i. Under the Occupational Health and Safety Act (2004), The Shire of Wiluna shall consult employees, so far as reasonably practicable, on matters that directly affect or are likely to directly affect the health and safety of all staff, contractors, visitors and the general public.
- ii. When possible, the Shire of Wiluna will establish an OSH Committee for OSH consultation purposes.
- iii. Communication and consultation is required:
  - when identifying hazards and risks and deciding how to control risks
  - when making decisions regarding facilities related to welfare
  - during development of OHS procedures and supporting systems
  - changes to workplace (e.g. new buildings, alterations to existing buildings, renovations, maintenance, repairs and minor modifications)
  - machinery and equipment, substances, processes and other things used in the workplace
- iv. The Shire of Wiluna management shall provide adequate facilities and resources and assistance to assist with OSH Committee and any communication and consultations between staff, contractors and OSH representatives.
- v. Training shall be provided to members of the OSH Committee.

### **2.5 Training and Education**

- i. The Shire of Wiluna will develop a formal induction process including occupational health and safety induction
- ii. All individuals, including visitors and contractors, will be required to undergo mandatory induction when developed
- iii. Training and education records will be maintained by Payroll/HR

# **Shire of Wiluna Policy Manual**

## **2.6 Job Safety Analysis**

- i. Job Safety Analysis (JSA) records will be developed for those high-risk activities that occur in the workplace.
- ii. All Shire personnel involved in these activities shall have received relevant training and be deemed competent once JSAs have been developed

## **2.7 Risk and Hazard Management**

- i. The standard for the Shire of Wiluna is to ensure that all health and safety risks are eliminated, or where this is not reasonably practicable, minimised by the application of controls.
- ii. All risks associated with our workplace activities shall be documented on the Risk Register once developed
- iii. OSH risk management training shall be provided to staff.

## **2.8 Incident and Accident Reporting**

- i. All incidents and hazards at the Shire of Wiluna must be recorded and investigated.
- ii. Records of incidents and injuries are maintained and are used for analysis and updating the risk register.

## **2.9 Monitoring and Review**

Company will undertake routine monitoring of its operations to verify OSH performance and compliance against regulatory and other requirements.

## **2.10 Workplace Inspections**

Company will undertake workplaces inspections on a regular basis. The completion and review of the workplace inspection records is managed by the Chief Executive Officer.

## **2.11 Purchasing**

OHS and other purchase specifications shall be identified and risk assessments shall be completed with appropriate skilled personnel prior to purchase.

## **2.12 Emergency Response**

- i. Potential emergency situations will be identified and emergency procedures put in place.
- ii. Emergency procedures will be distributed to all staff and contractors.
- iii. Emergency response exercises will be performed annually to test the effectiveness of the established procedures.



# Shire of Wiluna Policy Manual

## 3. Policy Implementation

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This policy is to be implemented through the procedures established by the Shire of Wiluna, which have been designed to provide the highest level of safety for both employer and employee.

### 3.1 Breach of this Policy

Failure to comply with the principles of this policy, or with the supporting procedures and forms, could result in appropriate disciplinary actions, suspension and termination of employment (dismissal), fines, penalties or imprisonment.

### 3.2 Policy Review

This policy must be reviewed annually.

### 3.3 Dissemination of Policy

The Shire of Wiluna OSH Policy and company OSH information is communicated to staff, contractors and visitors through the following:

- i. Staff meetings and/or toolbox meetings
- ii. Targeted emails or other written communications (e.g. letters, memos) to staff and contractors
- iii. Safety induction program
- iv. Safety manuals/safe operating procedures/safe work instructions

### 3.4 Document control

- i. The Shire of Wiluna OSH documentation is available to employees and contractors either electronically or hardcopy.
- ii. New OHS documentation and changes to existing documentation will be developed in accordance with new laws and regulations. OHS documentation is regularly reviewed to ensure currency and compliance.
- iii. Documentation include the OSH Policy, procedures, guidelines, information sheets, forms and other records.
- iv. The Chief Executive Officer is responsible for the maintaining OHS documentation.

### 3.5 Authority and Responsibility

This policy is issued under the authority of the Chief Executive Officer.

Each employee at the Shire of Wiluna is accountable ensuring that they personally comply with the requirements of this policy.

Managers and supervisors are responsible for ensuring compliance with this policy by managed/supervised staff.

# **Shire of Wiluna Policy Manual**

## **3.6 Related Documents**

### **a) Primary Legislation**

- i. *Occupational Safety and Health Act 1984 (State)*

## **Shire of Wiluna Policy Manual**

<b>POLICY:</b>	<b>Commission and Quality of Works</b>
<b>POLICY NO:</b>	<b>6.1</b>
<b>SECTION:</b>	<b>TJUKURBA ART GALLERY COUNCIL</b>
<b>MEETING HELD &amp; ADOPTED:</b>	<b>26 MARCH 2014 RES. 028/14</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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That, as a matter of policy, all works exhibited at the Shire of Wiluna Tjukurba Art Gallery must be vetted by Gallery Management and must have the same commission rate applied as all other works sold.

## Shire of Wiluna Policy Manual

POLICY:	DRUG AND ALCOHOL POLICY
POLICY NO:	7.1
SECTION:	HUMAN RESOURCES
COUNCIL MEETING HELD & ADOPTED:	22 FEBRUARY 2017 RES 028/17
DATE TO BE REVIEWED:	2019

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# SHIRE OF WILUNA

## Drug and Alcohol Policy

### Policy Statement

#### *The Shire of Wiluna's Commitment*

The **Shire** and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and other drug usage becomes an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired. For the purposes of this policy, the term "employee/s" shall extend to cover contractors, volunteers and any person performing work for or with the **Shire** in any capacity.

#### *The Individual's Responsibility*

Under the *Occupational Safety and Health Act 1984* (the OSH Act), workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. The consumption of alcohol and/or drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions. Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence of alcohol and/or drugs at the workplace, or is impaired, may face disciplinary action including possible termination of employment.

#### *Reporting Requirements*

Employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs.

#### *Drug Use on the Premises*

Employees who buy, take, or sell drugs on **Shire** premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal. Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their manager and disclose any side effects that these medication/drugs may cause.

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## Shire of Wiluna Policy Manual

### *Consumption of Alcohol on the Premises*

Except in situations where the **Shire** holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace.

### *Drug/Alcohol Treatment Programs*

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Shire will provide assistance to the employee.

- The Local Government will allow an employee to access any accrued personal or annual leave they are undergoing treatment, and
- The Local Government will take steps to return an employee to their employment position after completion of the treatment program, if practicable in the circumstances.

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the line manager or members of senior management, will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or possible termination from employment if the employee is unable to safely carry out the requirements of their role.

### *Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions*

Team managers shall:

- encourage their people to make alternative arrangements for transport to and from work prior to the function;
- ensure that the following is made available: - Low alcohol beer, soft drinks and water - Beverages: Tea, Coffee and Food;
- if the manager believes a person may be over the BAC 0.05 limit, assist the person with safe transport home (including contacting a family member or make other arrangements); and
- if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

### *Pre-Employment Medical Tests*

As part of the recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

### *Identification of Impairment & Testing*

If the **Shire** has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.

Reasonable grounds may include (but are not limited to), where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

## Shire of Wiluna Policy Manual

If the **Shire** suspects that an employee is under the influence of drugs and/or alcohol it may pursue any or all of the following actions:

- direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties;
- require that an employee undergo drug and alcohol testing administered by a representative of the **Shire**.
- direct an employee to go home.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 - Procedures for specimen collection and the detection and quantification of drugs of abuse in urine.

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the **Shire** may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The **Shire** may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

To ensure staff's compliance to this policy and met its obligations under the Occupational Safety and Health legislation the Shire may undertake compulsory random drug and/or alcohol testing of its employees at times during normal working hours.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the employee up to and including the termination of employment.

The following steps are to be taken where an employee who has submitted to a medical assessment returns a positive test result for alcohol and/or drugs:

- The employee tested and the supervisor (or respective employer) will be informed of the result;
- A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the **Shire**.

An employee who returns a positive test will be in breach of this policy. A breach of this policy may result in disciplinary action being taken against the employee up to an including the termination of employment.

### *Education, Training & Awareness*

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to the get the appropriate help.

The **Shire** engages the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling

### *Consequences of Breaching this Policy*

An employee engaged by the **Shire** who breaches the provisions of this policy may face disciplinary action including possible termination of employment.

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## *Variation to this Policy*

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

## Related Corporate Documents

- Disciplinary Policy
- Grievances, Investigations, & Resolutions Procedure (where applicable)

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<b>POLICY:</b>	<b>DISCRIMINATION, HARASSMENT &amp; BULLYING</b>
<b>POLICY NO:</b>	<b>7.2</b>
<b>SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 FEBRUARY 2017 RES 028/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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## SHIRE OF WILUNA

# Discrimination, Harassment and Bullying Policy

### Policy Statement

The Shire of Wiluna and its employees are committed to providing a working environment where every employee is treated equally, fairly and without prejudice. For the purposes of this policy the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Wiluna in any capacity.

### *Unlawful Discrimination*

An employee is directly discriminated against if they are treated less favourably than another person in the same or similar circumstance, because of any one of the grounds of discrimination outlined below. Indirect discrimination can occur where a practice or requirement is imposed upon all employees; however a high proportion of employees with an attribute cannot comply with, or are affected by, that practice or requirement. The Shire of Wiluna acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

The Shire of Wiluna and its employees acknowledge they are subject to State and Federal equal opportunity and anti-discrimination legislation. The following is a non-exhaustive list of the grounds of discrimination for which it is unlawful to discriminate against an individual:

- Age;
- Family responsibility or status;
- Race or colour;
- Sex including gender identity, sexual orientation and intersex status;
- Physical or mental disability;
- Marital status;
- Political or religious conviction;
- Pregnancy;

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- Criminal record;
- Breastfeeding;
- Gender history;
- Impairment;
- National extraction or social origin; and
- Trade union activity

### *Sexual Harassment*

The *Equal Opportunity Act 1984 (WA)* and the *Sex Discrimination Act 1984 (Cth)* provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

***Some examples of sexual harassment include, but are not limited to:***

- Physical contact (touching, rubbing, patting, embracing, brushing up against etc.);
- Gestures of a sexual nature;
- Leering or staring;
- Offensive telephone calls, emails, text messages or notes;
- Sexual suggestive jokes or comments;
- Tales of sexual exploits;
- Repeated requests for a date;
- Unwelcome comments or questions about a person's sex life, appearance or dress; and
- Sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).

### *Bullying*

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying is also unlawful under the *Occupational Safety and Health Act 1984 (WA)* and the *Occupational Safety and Health Regulations 1996 (WA)*.

## Shire of Wiluna Policy Manual

***Some examples of bullying include, but are not limited to:***

- Loud, abusive or offensive language or comments;
- Yelling and screaming;
- Unjustified criticism and insults;
- Unjustified threats of dismissal or other disciplinary action;
- Acts of sabotaging another's work by withholding information which is required to fulfil tasks;
- Spreading malicious rumours or misinformation;
- Inappropriate comments about an employee's appearance, lifestyle or family;
- Deliberately excluding an employee from workplace meetings or activities;
- Hiding documents or equipment or withholding vital information required for effective work performance;
- Constantly changing targets or work guidelines;
- Overloading an employee with work and impossible deadlines;
- Setting tasks that are unreasonably below or beyond an employee's level of skill;
- Threats of assault or violence or actual violence;
- Teasing and practical jokes; and
- Isolating or ignoring an employee on a constant basis.

Where an employee makes a threat of violence or assaults another employee, the police should be called.

### *Reasonable Management Action*

The Shire of Wiluna has a right to take reasonable management action to direct the way in which work is conducted and to give employees lawful and reasonable directions to complete work in a certain manner. Reasonable management action is not workplace bullying.

***Some examples of reasonable management action include, but are not limited to:***

- The establishment and regular use of performance management systems;
- The setting of reasonable performance targets and deadlines;
- Providing employees with constructive feedback or counselling to assist workers to improve their work performance or the standard of their behaviour;
- Issuing a lawful and reasonable direction to an employee to complete a work task;
- Preparing and amending a roster for employees;
- Transferring an employee to a different work location for operational reasons;
- Implementing organisational change;

## Shire of Wiluna Policy Manual

- Informing an employee about inappropriate behaviour in a confidential manner; and
- Taking disciplinary action against an employee.

### *Other Behaviours not Considered to be Bullying*

Where two or more employees have a difference of opinion and disagree on an issue, this is not usually considered to be workplace bullying. However, where conflict escalates and is repeated, it may meet the definition of workplace bullying.

Additionally bullying does not occur where bullying behaviour is a one off occurrence and if that behaviour does not create a risk to health or safety,

### *What are the Ways in which Bullying can Occur?*

There are a variety of ways bullying behaviour can occur in the workplace such as verbally, through email or text message or via social media. Bullying can be directed at an individual employee or a group of employees, and can be carried out by one or more employees. Bullying can occur between employees, downwards from managers to employees or upwards from employees to supervisors or managers.

### *What to do if you think you are being Discriminated Against, Sexually Harassed or Bullied?*

Refer to the Grievance Policy and Grievance Procedure for steps to take if you think you are being discriminated against, sexually harassed or bullied, or if you suspect another employee is experiencing any of those things.

### *Roles & Responsibilities*

To ensure the intent of this policy is realised, various roles within the Shire of Wiluna must assume certain responsibilities.

#### *The Employer*

The Shire of Wiluna will endeavour to:

- provide all workplace participants with a workplace free from discrimination, sexual harassment and bullying;
- provide and maintain safe systems of work;
- provide a fair and effective procedure to investigate and resolve complaints of sexual harassment, discrimination and bullying;
- treat all employees fairly; and
- take suitable disciplinary action against any employee who is found to have sexually harassed, discriminated, bullied or victimised another employee.

# Shire of Wiluna Policy Manual

## *All the Organisation's Employees*

Employees are required to:

- report any incidents of sexual harassment, discrimination or bullying they may see happening around them to an appropriate manager or supervisor;
- follow all policies and procedures of the Shire of Wiluna;
- ensure they do not victimise any person making a complaint of sexual harassment, discrimination or bullying; and
- treat all employees fairly and with respect.

## *Support*

The Shire of Wiluna engages the services of an external Employee Assistance Provider who can provide employees with confidential counselling. Please see Human Resources for details of the Employee Assistance Provider.

## *Consequences of Breaching This Policy*

Any breach of this policy, may result in disciplinary action up to and including termination of employment.

## *Variation to This Policy*

This policy may be cancelled or varied from time to time. All the Shire of Wiluna's employees will be notified of any variation to this policy by the normal correspondence method.

## *Related Corporate Documents*

- Grievance Policy
- Grievance Procedure

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>GRIEVANCES, INVESTIGATIONS &amp; RESOLUTION</b>
<b>POLICY NO:</b>	<b>7.3</b>
<b>SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 FEBRUARY 2017 RES 028/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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## SHIRE OF WILUNA

# Grievances, Investigations & Resolution Policy

### Policy Statement

All employees have a right to express any genuine grievances or complaints via an impartial internal process. All employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Wiluna in any capacity.

### Roles

**Complainant** – A employee who raises a complaint about a matter regarding the workplace.

**Respondent** – An employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.

**Support Person** – A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.

**Witness** – A person (including an employee) who is requested by the Local Government to assist the process by providing relevant information regarding the complaint.

### What to do if you have a Complaint?

If an employee (Complainant) is the victim of behaviour of another employee (Respondent) which is inconsistent with the Shire’s policies, procedures or guidelines (Policies), the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the complainant should contact their Manager directly.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their direct manager. If the direct manager is the Respondent in the matter or if the employee feels uncomfortable approaching their manager, the Complainant should approach the Manager’s Manager.



## Shire of Wiluna Policy Manual

The employee who receives the complaint must contact the Chief Executive Officer and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

### *Key Principles in the Complaint Resolution Process*

The following principles are necessary for the fair investigation and resolution of a complaint:

- **Confidential** – Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire of Wiluna may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Information will only be placed on an employee's personal file if they are disciplined as a result of the complaint;
- **Impartial (fair/unbiased)** – Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until available and relevant information has been collected and considered;
- **Sensitive** – The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation;
- **Timely** – The Shire of Wiluna aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;
- **Documented** – All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient;
- **Natural Justice** – The principles of natural justice provide that:
  - A Respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
  - A Respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
  - anyone involved in the investigation should be unbiased and declare any conflict of interest;
  - decisions must be based on objective considerations and substantiated facts; and
  - the Complainant and the Respondent have the right to have a support person present at any meetings where practicable.
- **Procedural Fairness** – The principles of procedural fairness provide that:
  - the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
  - A Respondent is entitled to receive verbal or written communication from the Shire of Wiluna of the potential consequences of given forms of conduct, as applicable to the situation;

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## Shire of Wiluna Policy Manual

- The Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
- Any mitigating circumstances presented to the Shire of Wiluna through the grievance process are investigated and considered;
- the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
- any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and
- All interviews of witnesses are conducted separately and confidentially.

### *Outcome of Making a Complaint*

If a complaint is substantiated, there are a number of possible outcomes. If the complaint involves a performance issue, the manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the Disciplinary Policy.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the manager of the Respondent, in consultation with Human Resources, may elect to discipline the Respondent in accordance with the Disciplinary Policy.

### *Vexatious or Malicious Complaints*

Where a Complainant has deliberately made a vexatious or malicious complaint, that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

### *Victimisation of Complainant*

A Complainant must not be victimised by the Respondent or any other employee of the Shire of Wiluna for making a complaint. Anyone responsible for victimising a Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

### *Variation to This Policy*

This policy may be cancelled or varied from time to time. All the Shire of Wiluna 's employees will be notified of any variation to this policy by the normal correspondence method.

### *Related Corporate Documents*

- Discrimination, Harassment, & Bullying Policy
- Code of Conduct
- EEO Policy

## Shire of Wiluna Policy Manual

<b>POLICY:</b>	<b>GRIEVANCES, INVESTIGATIONS &amp; RESOLUTION</b>
<b>POLICY NO:</b>	<b>7.3 (Addendum)</b>
<b>SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>22 FEBRUARY 2017 RES 028/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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## SHIRE OF WILUNA

# Grievances, Investigations & Resolution Procedure

### Procedure

The following procedure, based on the principles outlined in the Grievances, Investigations & Resolution Policy, is to be used in the resolution of any complaint. A complaint should be dealt with internally in the first instance where reasonable and practicable. The aim of this procedure is to resolve the complaint as quickly and confidentially as possible.

### *First step – Self Resolution*

A Complainant should attempt to resolve the issue directly with the person(s) concerned in the first instance. The Complainant should identify the specific conduct which has caused offence, explain the impact of that conduct on them, and request that the conduct stops. In some circumstances, the Respondent may be unaware that their behaviour offends the Complainant. These actions should be taken as soon as possible.

If the Complainant is not comfortable attempting to resolve the issue directly with the Respondent, if their attempts to resolve the issue are unsuccessful or if the issue is deemed sufficiently serious, the Complainant should seek guidance from Human Resources on the options available to the Complainant. The Complainant has the choice whether to proceed with their complaint at that stage and the complaint can be withdrawn at any stage. If a complaint is withdrawn and the Shire of Wiluna deems that matter to be sufficiently serious, it may continue to investigate the complaint even if it has been withdrawn.

### *Informal Complaint Procedure*

A complaint can be dealt with on an informal basis where:

- the allegations are not deemed sufficiently serious, for example interpersonal conflict or potentially amount to a minor breach of some Local Government policies, procedures and guidelines (Policies);
- the Complainant is reluctant to lodge a formal complaint; or
- the Complainant and the Respondent work together closely on a regular basis and the preservation of the employment relationship is paramount.

## Shire of Wiluna Policy Manual

The informal complaint procedure may be approached as follows:

- The Complainant should approach their line manager to outline their concerns, the desired outcome and any ideas for resolution of the complaint.
- The Complainant's manager will explain the various options open to the Complainant for the resolution of the complaint.
- If the Complainant chooses to proceed with the complaint, the Shire can either:
  - arrange for a mediation between the Complainant and the Respondent; and/or
  - meet with the Complainant and the Respondent separately to discuss the issues and explore possible solutions; and/or
  - write to the Complainant and the Respondent to obtain further information about the complaint and to explore potential solutions.

If the matter is resolved to the satisfaction of all parties, the matter will be concluded. If the matter is not resolved, the manager will determine whether any further action is required. All meetings with the Complainant and the Respondent should be documented and any correspondence between the parties should be retained on a confidential basis by the Shire.

### *Formal Complaint Procedure*

A complaint should be dealt with through the formal complaint procedure where:

- the complaint involves sufficiently serious allegations, including but not limited to, sexual harassment, discrimination, criminal conduct, breaches of Local Government policies or breach of *the Local Government Act 1995 (WA)*;
- the complaint involves a particularly sensitive or personal matter; or
- a formal complaint procedure is deemed appropriate in the circumstances by the manager and Chief Executive Officer.

### *Submitting a Formal Complaint*

A formal complaint should be made in writing and include the following information:

- the Complainant's name and contact details;
- details of the specific incident or issue being complained about;
- if the complaint is about a person(s), the identity of the Respondent/Respondents and their relationship to the Complainant;
- the names of any witnesses who were present during the specific incident or who have first-hand knowledge of the issue being complained about;
- the outcome the Complainant is seeking; and
- any action that has already been taken in an effort to resolve the issue.

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## *Preliminary Inquiry*

Before commencing a formal investigation, the relevant Manager are able to conduct a preliminary inquiry if further information about the complaint is required to determine the level of seriousness involved. The purpose of a preliminary inquiry is to:

- obtain details about the complaint and assess the seriousness of the allegations;
- determine the level of factual dispute;
- assess whether there is sufficient evidence to proceed to a formal investigation; and
- determine whether the Shire of Wiluna should proceed with an investigation or refer the matter to an external authority. It may be appropriate to refer a matter to an external authority where the alleged conduct is potentially of a criminal nature, potentially breaches the *Local Government Act 1995* or may need to be dealt with by the Corruption and Crime Commission.

## *Full Investigation*

If deemed necessary, the relevant Manager may require a formal investigation to be conducted. The Shire of Wiluna can elect to appoint a person from outside the Shire of Wiluna to conduct the formal investigation or an appropriate Shire of Wiluna employee may conduct the investigation (the Investigator).

The role of the Investigator is to collect information about the complaint and make findings about whether any allegations are able to be substantiated. The Investigator is responsible for ascertaining facts, reviewing documentation, interviewing parties and making a determination about whether any further action against the Respondent is warranted. The depth and scope of the investigation will depend on the nature of the complaint, however, as a general guide the following should be covered by the investigation report:

- the circumstances of any allegations made;
- a list of allegations made by the Complainant, the Respondent's response to the allegations and whether any of the allegations are substantiated;
- outline where any policies or legislation have been breached;
- evidence stemming from the complaint include any documentation such as emails; letters and signed witness statements; and
- any mitigating circumstances that have been presented through the investigation on behalf of the Respondent.

## *Outcome and Action*

The outcome of the investigation will dictate whether any disciplinary action may be warranted. Whether any disciplinary action is required will be at the discretion of the relevant manager in consultation with Chief Executive Officer. Any disciplinary action will be taken in accordance with the Disciplinary Policy.

## Shire of Wiluna Policy Manual

### *Substantiated Complaints and Potential Outcomes*

Outlined below are some examples of actions that may be taken after a formal complaint is investigated and outcomes have been substantiated.

- apology from the Respondent to the Complainant (written or oral/verbal);
- agreement from the Respondent that the behaviour will not be repeated;
- a Respondent can be issued with a verbal or written warning;
- transfer, demotion or termination of the Respondent's employment;
- counselling of the Complainant and/or Respondent;
- implementation of a training program; or
- changes to the Shire of Wiluna's Policies.

### *Frivolous or Vexatious Complaint*

If a complaint is found to be deliberately vexatious or malicious after an investigation, the employee making that complaint may be subject to disciplinary action, including but not limited to, termination of employment.

### *Other Resources*

An investigation into a complaint may require the Shire of Wiluna to utilise resources from outside the organisation to help resolve the situation, including:

- an Employee Assistance Program (EAP);
- use of an independent investigator; or
- use of an independent mediator.

### *Variation to this Procedure*

This procedure may be amended from time to time. All the Shire of Wiluna 's employees will be notified of any variation to this policy by the normal correspondence method.

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<b>POLICY:</b>	<b>DISCIPLINARY POLICY</b>
<b>POLICY NO:</b>	<b>7.5</b>
<b>SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>23 MARCH 2017 RES 043/17</b>
<b>DATE TO BE REVIEWED:</b>	<b>2019</b>

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# SHIRE OF WILUNA

## Disciplinary Policy

### Policy Statement

The **Shire of Wiluna** may from time to time consider that issues of employee behaviour, misconduct or unacceptable performance levels require disciplinary action.

### Application

This policy applies to all employees who work at **Shire of Wiluna** including contractors, volunteers and any person performing work for or with the **Shire of Wiluna** in any capacity.

### Commitment

The **Shire of Wiluna** is committed to providing the best possible service and ensuring its employees perform and conduct themselves in accordance with **Shire of Wiluna** policies, procedures and guidelines (Policies). Any disciplinary procedure will be applied in a consistent, fair and objective manner, and it will ensure that, where reasonable, employees are given an opportunity and assistance to improve.

### Authority to take Disciplinary Action

Disciplinary action may only be taken when authorised by the Chief Executive Officer **or other appropriate senior manager** or other more senior positions in that Department's reporting line. The authorising officer may only approve disciplinary action after consultation with Chief Executive Officer.

### When the Disciplinary Policy Applies

Some examples of when this policy may be invoked include breaches of **Shire of Wiluna** policy and procedures including, but not limited to:

- breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
- poor performance such as frequently attending for work late or producing a poor quality of work; or



## **Shire of Wiluna Policy Manual**

- inappropriate personal behaviour such as theft, violating the Discrimination, Harassment and Bullying Policy, Cultural Values or wilfully disobeying a lawful instruction.

# Shire of Wiluna Policy Manual

## General Disciplinary Principles

The following principles will apply to any disciplinary action taken.

- **Nature of allegation and investigation:** Before formal disciplinary action is taken against an employee, the nature of the allegations made against an employee will be put to the employee and an investigation may ensue, in accordance with the Grievances, Investigations & Resolution Policy and Procedure.
- **Right to a support person:** Where an employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the employee may be accompanied by a support person where practicable. The role of a support person is not to advocate on behalf of anyone, but to simply provide emotional or other support.
- **Confidential:** All parties must keep matters related to a disciplinary process confidential.
- **Fair and impartial:** The **Shire of Wiluna** strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

## Serious Misconduct

Serious misconduct includes, but is not limited to:

- wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- conduct that causes serious and imminent risk to:
  - the health or safety of a person; or
  - the reputation, viability or profitability of the **Shire of Wiluna's** organisation;
- the employee, in the course of the employee's employment, engaging in:
  - theft; or
  - fraud; or
  - assault;
- the employee being intoxicated at work; or
- the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

If an employee engages in serious misconduct, disciplinary action that may be taken includes, but is not limited to, summary dismissal (termination of employment without notice).

## Other Disciplinary Action

With the exception of serious misconduct, where an employee has engaged in an act or omission which is inconsistent with any of the **Shire of Wiluna's** Policies, the employee could be disciplined as follows:

- **Verbal warning** – Where an employee engages in an act or omission which is inconsistent with the Policies, management has the discretion to issue the employee with a verbal warning. The verbal warning should be noted in a file note and placed on the employee's personnel file.
- **Written warning** – If the employee engages in a more serious act or omission, or acts in a manner which is inconsistent with the Policies, management has the

## **Shire of Wiluna Policy Manual**

discretion to issue the employee with a written warning. The employee must be given a copy of the written warning.

## Shire of Wiluna Policy Manual

- **Termination of employment with notice** – In cases other than summary dismissal, an employee's employment may be terminated with notice or payment in lieu of notice provided the **Shire of Wiluna** has a valid reason for terminating the employee's employment and the employee has an opportunity to respond to the reasons for termination.

Whenever an employee is required to attend a meeting regarding a disciplinary issue, the employee may have a support person present where practicable. The type of disciplinary action taken against an employee is at the **Shire of Wiluna's** discretion and the type of disciplinary action will depend on the seriousness and frequency of any misconduct or performance issue.

### *Principles to be Applied*

Where disciplinary action is taken, the principles of procedural fairness must prevail. These principles are expanded on in the **Shire of Wiluna's** Grievances, Investigations, and Resolutions Procedure.

### *Investigation Procedures for Alleged Misconduct*

Investigations into alleged misconduct should follow the processes detailed in the **Shire of Wiluna's** Grievances, Investigations, and Resolutions Policy and Procedure.

### *Reporting Obligations*

If an officer or employee of the **Shire of Wiluna** has reporting obligations pursuant to the *Corruption and Crime Commission Act 2003 (WA)* and suspects on reasonable grounds that a matter arises which concerns or may concern misconduct, the Corruption and Crime Commission must be notified of that matter as soon as reasonably practicable.

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

### *Variation to this Policy*

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

### *Related Corporate Documents*

- Managing and Developing Performance Guideline
- Grievances, Investigations, and Resolutions Policy
- Grievances, Investigations, and Resolutions Procedure
- Code of Conduct

## Shire of Wiluna Policy Manual

POLICY:	ICT USAGE
POLICY NO:	7.6
SECTION:	HUMAN RESOURCES COUNCIL
MEETING HELD & ADOPTED:	23 MARCH 2017 RES 043/17
DATE TO BE REVIEWED:	2019

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# SHIRE OF WILUNA

## ICT Use Policy

### Policy Statement

Effective security is a team effort involving the participation and support of every **Shire of Wiluna** employee who deals with information and/or information systems and devices. Every digital device user must understand this policy and carry out their use of digital devices in accordance with this policy. For the purposes of this policy the term “employee/s” shall extend to cover contractors, volunteers and any person performing work for or with the **Shire of Wiluna** in any capacity.

### General Use of ICT Equipment

- While **Shire of Wiluna**’s network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remain the property of **Shire of Wiluna**. Because of the need to protect **Shire of Wiluna**’s network, the confidentiality of personal (non-work-related) information stored on any network device belonging to **Shire of Wiluna** cannot be guaranteed; and
- A degree of personal use is allowed on the **Shire of Wiluna**’s equipment/devices/systems. Employees should exercise conservative judgment regarding the reasonableness of personal use but should be guided by the following principles:
  - Personal use should be conducted either before or after contracted hours of work or authorised breaks;
  - Personal use should be limited and brief, avoiding excessive download or transmission. An example of acceptable personal use would be conducting brief transactions through internet banking;
  - Personal use should not breach anything in this policy, particularly relating to the downloading of offensive or copyrighted materials;
  - Managers will determine the specific acceptable personal use for their respective business areas as this will differ according to the needs of each group; and
  - If there is any uncertainty regarding acceptable personal use, then employees should consult their supervisor or manager for guidance.

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## Shire of Wiluna Policy Manual

- For security and network maintenance purposes, authorised individuals within **Shire of Wiluna** may monitor equipment, systems and network traffic at any time, according to the specific nature and requirements of their roles.
- **Shire of Wiluna** reserves the right to audit networks and systems on a periodic basis to ensure system integrity and compliance with this policy.

All emails sent by **Shire of Wiluna** staff should include the 'signature' and disclaimer at the foot of the body of the email, in the format specified by the **Shire of Wiluna's** style guide or as otherwise advised by Communications/Public Relations Officer.

### *Security and Proprietary Information*

- All information stored on the **Shire of Wiluna's** corporate systems should be regarded as confidential and care must be exercised before sharing or distributing any information. If there is any uncertainty regarding the level of confidentiality involved then employees should consult their supervisor or manager for guidance;
- Passwords should be kept secure and accounts must not be shared. Authorised users are responsible for the security of their passwords and accounts. Passwords should be changed in accordance with **Shire of Wiluna's** advice from the ICT Team;
- All devices connected to the **Shire of Wiluna's** computing systems/networks, regardless of ownership, must be running approved and up to date virus-scanning software; and
- People must use caution when opening files received from unknown senders.

### *Unacceptable Use*

The information in this policy provides a framework for activities which fall into the category of unacceptable use, but do not represent an exhaustive list. Some users are exempted from these restrictions during the course of carrying out responsibilities related to their role. Under no circumstances is any user authorised to engage in any activity that is illegal under local, state, federal or international law while connected to or utilising **Shire of Wiluna** ICT systems or resources.

### *System and Network Activities*

The following activities are not permitted:

- Violations of the rights of any person or company/organisation protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the duplication, installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the **Shire of Wiluna** or the end user;
- Unauthorised copying or digitising of copyrighted material and the installation of any copyrighted software for which the **Shire of Wiluna** or the end user does not have an active license;
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. The appropriate manager should be consulted prior to export of any material where status is unclear;

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## Shire of Wiluna Policy Manual

- Introduction of malicious programs or code into the network or onto devices connected to the network;
- Revealing your account password to others or allowing use of your account by others;
- The **Shire of Wiluna's** equipment is not be used for the downloading or distribution of any material that could be considered as offensive. If a user receives such material they should notify their manager and also the ICT Team;
- Making fraudulent offers of products, items, or services, or running private business interests via any **Shire of Wiluna** equipment, device or account; and
- Undertaking private work.

The following activities are not permitted unless they are within the scope of regular responsibilities for an expressly authorised role/position:

- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorised to access;
- Executing any form of network monitoring which will intercept data not intended for the user's host;
- Attempting to avoid or bypass **Shire of Wiluna's** network security measures;
- Interfering with any other user's account, by whatever means; and
- Using the system in a way that could damage or affect the performance of the network in any way.

### *Email and Communications Activities*

The following activities are not permitted:

- Except in the course of normal business notifications, sending or forwarding unsolicited electronic messages, including the sending of "junk mail" or other advertising material, jokes, or chain communication to individuals who did not specifically request such material;
- Any form of harassment via electronic/ICT means;
- Unauthorised use, or forging, of email header information;
- Solicitation of communication for any other electronic address, other than that of the poster's account, with the intent to harass or to collect replies;
- Creating or forwarding "chain letters" or "pyramid" schemes of any type;
- Use of any of the **Shire of Wiluna's** network or systems for the purpose of generating unsolicited communications;
- Providing information about, or lists of the **Shire of Wiluna's** employees to parties outside **Shire of Wiluna** or to personal email addresses;
- Communicating in a manner that could adversely affect the reputation or public image of **Shire of Wiluna**; and

## Shire of Wiluna Policy Manual

- Communicating in a manner that could be construed as making statements or representations on behalf of **Shire of Wiluna** without the **Shire of Wiluna's** express permission to do so; and

Users should also endeavor to clean out their Inbox, Sent Items, Deleted Items and other email boxes on a regular basis, by either deletion or saving in the central record system. A size limit per mailbox may be implemented to ensure that the system is functioning optimally.

### *Remote Access*

Users with remote access should be reminded that, when they are connected to the **Shire of Wiluna's** network, their machines are an extension of that network, and as such are subject to the same rules and regulations that apply to the **Shire of Wiluna's** corporate equipment and systems. That is, their machines need to connect and communicate reliably with the **Shire of Wiluna's** network and servers to ensure the security and integrity of data and records.

Users are reminded of the following conditions relating to remote access to the **Shire of Wiluna's** system:

- Family members must not violate any of the **Shire of Wiluna's** policies, perform illegal activities, or use the access for outside business interests;
- The device that is connected remotely to the **Shire of Wiluna's** corporate network should be secure from access by external non-**Shire of Wiluna** parties and should be under the complete control of the user;
- The use of non-**Shire of Wiluna** email accounts (e.g. Yahoo, Hotmail, Gmail etc.) or other external resources is not permitted for the conduct of **Shire of Wiluna** business, thereby ensuring official business is not confused with personal business; and
- All devices (whether personal or corporate) connected to the **Shire of Wiluna's** networks via remote access technologies should have up-to-date anti-malicious-code software.

### *Provision and Use of Mobile Phones and Information/ Communication Devices*

Some people will be supplied with a mobile phone and/or other mobile computing device if it is deemed necessary to their position. All mobile devices supplied remain the property of the **Shire of Wiluna** and users must not change service providers unless permitted to do so.

Where a mobile device provides an email service, all emails sent or received or otherwise processed via the mobile device that are classified as a record of the **Shire of Wiluna** should be through the **Shire of Wiluna's** server, to ensure the integrity of the recordkeeping system.

Where the device includes a digital camera, users are to use the technology in a sensible manner. A failure to do so may lead to disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

It is unlawful for drivers to operate a mobile phone and/or other mobile computing device whilst driving. Phone calls may otherwise be made or received providing the device is accessible while mounted/fixed to the vehicle or does not need to be touched by the user. An employee who operates a mobile phone and/or other mobile computing device whilst driving may face disciplinary action including possible termination of employment. Employees may also be held criminally liable for their actions.

# Shire of Wiluna Policy Manual

## Consequences of Breaching This Policy

- Any user found to have breached this policy may be subject to disciplinary action including possible termination of employment. The **Shire of Wiluna** may also be obligated to refer any breach of this policy to an external agency where an employee may be held criminally liable for their actions.
- Private/personal or unauthorised use of corporate ICT systems and/or devices may result in the user being obligated to pay any extra costs incurred.

## Variation to This Policy

This policy may be cancelled or varied from time to time. All the **Shire of Wiluna** s employees will be notified of any variation to this policy by the normal correspondence method. All users of the organisations ICT are responsible for reading this policy prior to accessing the organisations ICT.

## Statement of Understanding

I confirm that I have received a full copy of the **Shire of Wiluna**'s ICT Use Policy, and I understand that that I must comply with the terms and conditions contained within it.

*Please do not sign this document unless you fully understand the contents and requirements.*

Person's Printed Full Name

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Person's Signature

Date

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***Please forward signed copy to the Human Resources Team.***

## Related Corporate Documents

- Code of Conduct
- Social Media Use Policy

## Shire of Wiluna Policy Manual

POLICY:	SOCIAL MEDIA
POLICY NO:	7.7
SECTION:	HUMAN RESOURCES
COUNCIL MEETING HELD & ADOPTED:	23 MARCH 2017 RES 043/17
DATE TO BE REVIEWED:	2019

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# SHIRE OF WILUNA

## Social Media

### Policy Statement

The **Shire of Wiluna** understands the requirement to provide a framework for using social networking sites, including clarity on appropriate conduct, and emphasizes the need for its employees to use good judgement about what appears and its context within these social media venues/spaces.

The objective of this policy is to ensure all the organisation's employees are aware of appropriate professional and personal social media conduct to ensure the greatest benefit to the **Shire of Wiluna**.

This policy applies to all employees and contractors (whether paid or unpaid) at **the Shire of Wiluna** who access social media for professional or social purposes whether via personal devices or those supplied by the **Shire of Wiluna**.

Social Media means forms of electronic communication (e.g. Web sites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (e.g. videos). Some examples include (but are not restricted to) Facebook, Pinterest, LinkedIn, Twitter; YouTube, and Foursquare.

### *Social Media Use for **Shire of Wiluna** Purposes*

The **Shire of Wiluna** may direct specified employees to use social media for **Shire of Wiluna** purposes.

Only employees with appropriate training and knowledge who are expressly authorised by the Chief Executive Officer may use social media for **Shire of Wiluna** purposes.

If a person is provided with express permission by the Chief Executive Officer to use social media s/he must provide information that is truthful, accurate and in the interests of the **Shire of Wiluna**. S/he must not disclose anything that is financial or technical information, commercially sensitive information, personal information about employees, or any information about customers, suppliers or members of the general public.

Employees who are required to use social media in the course of their work must:

## Shire of Wiluna Policy Manual

- Use spell check and proof read each post;
- Understand the context before entering any conversation;
- Know the facts and verify the sources;
- Be respectful of all individuals and communities with which the person interacts with online;
- Be polite and respectful of other opinions;
- Seek to conform to the cultural and behavioural norms of the social media platform being used;
- If a mistake is made, the person must correct it quickly by disclosing it was a mistake (including the particulars of the correction) and inform his/her supervisor; and
- Understand and comply with any directions given by the CEO on topics that are not to be discussed for confidential, operational or legal reasons.

A person required to use social media who has been trained and given express permission by the Chief Executive Officer should always be aware that the **Shire of Wiluna** may be liable for any posts made. Accordingly s/he should always seek guidance from his/her supervisor or the Chief Executive Officer if s/he is ever unsure about stating or responding to something on a social media site.

### *Records Personal/Private Use of the **Shire of Wiluna's** Corporate Sites*

An employee cannot comment on behalf of the **Shire of Wiluna** unless expressly authorised by the Chief Executive Officer. If the person wishes to broadcast something (either as an initial broadcast or a response) then a request to the Chief Executive Officer (or his/her authorised delegate) must be made.

A person of the **Shire of Wiluna** is able to share links that the **Shire of Wiluna** has posted on the social media sites, or submitting a "like" action, or comment on an event, initiative and/or program, provided that it is in the best interests of the Local Government.

### *Personal/Private Use of Non-**Shire of Wiluna** Sites*

Employees at the **Shire of Wiluna** are permitted reasonable use of social media for personal/private purposes on the condition that it does not interfere with the performance of their work.

Employees who use social media for personal/private purposes must not infer or state they are speaking on behalf of the **Shire of Wiluna** and are reminded that any inappropriate postings or actions carried out on social media may result in disciplinary action.

### *Consequences of Breaching this Policy*

The policy constitutes a lawful instruction to all of the organisation's people, and breaches may lead to disciplinary action or termination by the **Shire of Wiluna**, or referral to appropriate external authorities where applicable. People who breach the policy may also be personally liable for their actions.

## Shire of Wiluna Policy Manual

### *Variation to this Policy*

This policy may be cancelled or varied from time to time. All the **Shire of Wiluna's** employees will be notified of any variation to this policy by the normal correspondence method. All users of social media (be it for personal or professional purposes) within the organisation are responsible for reading this policy prior to accessing social media.

### *Statement of Understanding*

I confirm that I have received a full copy of the **Shire of Wiluna's** Social Media Policy and I understand that I must comply with the terms and conditions within it.

*Please do not sign this document unless you fully understand the contents and requirements.*

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Person's Printed Full Name

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Person's Signature

Date

***Please forward signed copy to the Human Resources Team.***

### *Related Corporate Documents*

This policy should be read in conjunction with the ICT Use Policy and the Code of Conduct.

## Shire of Wiluna Policy Manual

POLICY:	WORKPLACE SURVEILLANCE
POLICY NO:	7.8
SECTION:	HUMAN RESOURCES
COUNCIL MEETING HELD & ADOPTED:	11/10/2017 RES. 154/17
DATE TO BE REVIEWED:	2019

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# Workplace Surveillance Policy

## Policy Statement

Surveillance may be deployed within the workplace in order to protect the assets and equipment of the **Shire of Wiluna** and improve community and employee safety.

This policy outlines the deployment of workplace surveillance in the **Shire of Wiluna**.

## *The Shire of Wiluna's Commitment*

The **Shire of Wiluna** is committed to providing a safe environment for its employees and the community in which unlawful, antisocial, and inappropriate activity is kept to a minimum while respecting the individual rights to privacy. The **Shire of Wiluna** will ensure that the use of workplace surveillance complies with the requirements of the relevant legislation including the *Surveillance Devices Act 1998 (WA)*.

## *Electronic Surveillance Devices*

The **Shire of Wiluna** may deploy electronic surveillance devices to protect assets, equipment and people through the recording of unauthorised, unlawful, inappropriate, or dangerous activity/incidents.

The **Shire of Wiluna** may deploy fixed and mobile cameras (of either motion/CCTV or still variety) in areas where assets or equipment are stored or commonly used, or in high risk work areas. Cameras may be placed in, around, or to view fixed or mobile locations.

Cameras should be placed in unobtrusive positions covering the area to be protected.

Cameras must not be placed inside toilets or change rooms, residences, or in such a position as to view inside these premises.

The **Shire of Wiluna** will erect signs to inform employees and community members that cameras are in use.

Global Positioning System (GPS) devices may be utilised in vehicles or equipment where the operator is often required to work alone, where there is risks associated with the tasks being carried out by an employee or where the Local Government has a need to monitor and protect that vehicle or equipment.



# Shire of Wiluna Policy Manual

## Staff Management

The **Shire of Wiluna** will not deploy workplace surveillance for the general management of the **Shire of Wiluna's** employees. However, if any workplace surveillance demonstrates an employee acting in an antisocial, inappropriate, or unlawful manner, the **Shire of Wiluna** may u [Review and Retention of Images](#)

Images that indicate unauthorised or inappropriate activity, either through a record of that activity or due to interference with the camera, are to be referred to the Chief Executive Officer. The Chief Executive Officer will retain the images and any associated information in a secure, confidential location.

## Confidentiality

Unless otherwise approved by the Chief Executive Officer, image information or data recorded is to be discussed only with the Chief Executive Officer, or Deputy Chief Executive Officer. No information regarding the location of surveillance devices or images recorded is to be released or discussed with any other person, except with the approval of the Chief Executive Officer or if required by law.

## Consequences of Breaching this Policy

Any person engaged by the **Shire of Wiluna's** found to have breached this policy may be subject to disciplinary action or dismissal, as appropriate. Criminal charges may also be applied, where appropriate.

## Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

## Statement of Understanding

I confirm that I have read and understood the **Shire of Wiluna's** Workplace Surveillance Policy. I understand that it is a condition of my employment or engagement with the **Shire of Wiluna** that I consent to, and must comply, with, the terms and conditions contained within this Policy.

*Please do not sign this document unless you fully understand the contents and requirements.*

Person's Printed Full Name

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Person's Signature

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Date

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***Please forward signed copy to the Human Resources Team.***



## Shire of Wiluna Policy Manual

POLICY:	CORPORATE UNIFORM, DRESS CODE & HYGIENE AT WORK
POLICY NO:	7.9
SECTION:	HUMAN RESOURCES
COUNCIL MEETING HELD & ADOPTED:	28/02/2018 RES. 014/18
DATE TO BE REVIEWED:	2019

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# Corporate Uniform, Dress Code, & Hygiene at Work Policy

## Policy Statement

The type of clothing and standard of dress for the **Shire of Wiluna's** employees varies according to roles and safety requirements. This policy provides parameters regarding appropriate types of clothing, standards of dress and related matters.

## Commitment

The **Shire of Wiluna** is committed to presenting itself in a professional manner as well as maintaining a safe and healthy working environment for its employees. This policy aims to fulfil such a commitment by providing clarity about personal clothing and hygiene standards. For this policy, the term "employee/s" shall extend to cover contractors, volunteers and any person performing work for or with the **Shire of Wiluna** in any capacity.

## Standards of Dress (Staff Uniform)

The Chief Executive Officer is authorised to set the standards of dress including the style, design, logo and colour of the staff uniform.

## Compulsory Uniform/Protective Clothing

The **Shire of Wiluna** may require employees to wear a uniform. Usually, a compulsory **Shire of Wiluna** uniform will be provided at no cost to the employee. In some cases, an allowance may be provided for the purchase and maintenance of a uniform. The following applies about the compulsory wearing of **Shire of Wiluna** uniforms:

- The employee is responsible for ensuring their uniform is kept clean and presentable. Any employee who fails to wear the required uniform when presenting for duty shall be sent home to change and may not receive payment for the time they are not at work;
- Uniforms shall be replaced if it is determined by an appropriate officer that they are no longer suitable for use due to ordinary wear and tear;

## Shire of Wiluna Policy Manual

- If an employee's uniform is damaged, the employee may be entitled to a replacement uniform or an additional one-off allowance. An employee may not be entitled to a replacement uniform or an additional one-off allowance if their uniform has been damaged due to neglect or misconduct. In such cases the employee will be responsible for the replacement costs of the uniform; and
- Uniforms will remain the property of the **Shire of Wiluna**. Employees who are ceasing work with the **Shire of Wiluna** must return their uniforms before the completion of their final working day.

### *Additional Requirements Relating to Protective Clothing*

An employee may be instructed to wear protective clothing by an appropriate officer. Employees will be issued with protective clothing by the **Shire of Wiluna**. An employee must not modify, alter or change protective clothing under any circumstances unless they are directed to do so by an appropriate officer.

### *Wearing of Uniform out of Hours*

Primarily uniforms are to be worn only during working hours and employees should take care to refrain from wearing uniforms outside of work. Employees must recognise that when wearing the uniform, they are recognised as representing the **Shire of Wiluna**. Employees must adhere to the **Shire of Wiluna's** Code of Conduct, policies and procedures if they are wearing the uniform outside of work.

An employee must refrain from consuming alcohol while wearing a **Shire of Wiluna** uniform unless alcohol consumption has been sanctioned by an appropriate officer. Employees who consume alcohol or act inappropriately while wearing a uniform may face disciplinary action.

### *Acceptable Standards of Dress*

Employees who are not required to wear uniforms must present for work in a professional manner and be suitably attired for their work activities. The standard for both men and women is a smart business dress.

Smart business dress for work may include, tailored trousers, tailored skirts, collared business shirts, tailored shorts, tailored jackets, dresses, blouses, smart/business shoes, socks, appropriate underwear, belts and ties.

Smart business dress for work does not include; low cut or sheer tops that expose the midriff, shorts that expose the buttocks, thongs, bare feet, singlets, faded jeans, frayed jeans, board shorts or other items of clothing deemed unsuitable by an appropriate officer.

The following items may be acceptable provided they do not pose any possible hazard to health and safety at work or deviate significantly from the image required in the given work area.

- Clothing is worn to comply with cultural or religious practices;
- Tattoos or body piercings; and
- Jewellery.

## **Shire of Wiluna Policy Manual**

An employee's hair should be neat and tidy and kept in a clean condition. Employees with long hair may be required to tie it back or wear a hair net at the request of an appropriate officer.

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## *Casual Dress Days*

On “casual dress” days, “smart casual” is the minimum required standard. Further guidance is available from the respective line manager.

## *Unacceptable Standards of Dress*

The following items are unacceptable at the **Shire of Wiluna**:

- Clothing that contains messages or designs that may be offensive to others including but not limited to items of clothing which may be considered racist, sexist or derogatory; and
- Body tattoos that contain messages or designs that may be offensive to others including but not limited to tattoo's which may be considered racist, sexist or derogatory.

## *Uniform Allowance*

A uniform allowance for indoor employees, following successful completion of probation period:

- Full-time employees - \$500,
- Part-time employees - \$300.

The above allowance is only claimable if the employee purchase a Shire of Wiluna approved uniform.

## *Personal Hygiene*

Employees are responsible for ensuring that they maintain good standards of personal hygiene while at the workplace. Clothes should be laundered to a reasonable standard and employees should be respectful of others and minimise strong body odour, perfumes and colognes when attending the workplace.

Where problems are identified in working arrangements or facilities or with the health and safety of the individual, these must be reported to a responsible person immediately.

All matters relating to personal hygiene will be handled sympathetically and discreetly.

## *Consequences of Breaching This Policy*

This policy constitutes a lawful instruction to all of the organisation's people, and breaches may lead to disciplinary action or termination by the **Shire of Wiluna**. People who breach the policy may also be personally liable for their actions.

# Shire of Wiluna Policy Manual

## Variation to This Policy

This policy may be cancelled or varied from time to time. All the organisation’s employees will be notified of any variation to this policy by the normal correspondence method.

Policy Number	7.9
Policy Version	1
Policy Owners	
Creation Date	Feb 2018
Next Review Due	This policy should be reviewed every 2 years or more often where circumstances require.